



Title: ASSESSING THE HARM INSIDE: A STUDY
CONTEXTUALISING BOYS' SELF-HARM IN CUSTODY

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ASSESSING THE HARM INSIDE:
A STUDY CONTEXTUALISING BOYS' SELF-HARM IN
CUSTODY

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Professional Doctorate

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ASSESSING THE HARM INSIDE:
A STUDY CONTEXTUALISING BOYS' SELF-HARM IN
CUSTODY

by

Poppy Elizabeth Harrison

A thesis submitted to the University of Bedfordshire, in partial
fulfilment of the requirements for a degree of Professional Doctorate
in Leadership of Children's and Youth Services

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ABSTRACT

Concerns about suicide and self-harm in English prisons are not new (Third report of the commissioners of prisons, 1880, cited in Liebling, 1992). However, a distinct system of intervention and custody for children (as established by the Crime and Disorder Act 1998) is relatively modern, and as such contextual studies about self-harm have largely, to date, overlooked children as a discrete group existing within a separate framework from adults. Similarly, large-scale research exploring self-harm among children in community settings has largely excluded the group of marginalised young people who come to the attention of youth justice services.

This study presents a unique analysis of 181 youth justice assessments ('Assets') for boys who were remanded or sentenced to custody in under-18 Young Offender Institutions during 2014-15, tracing the subjects of the assessments from the communities they offended in through to a period in custody, using incident reports completed whilst they were there. What results is a contextual study examining the characteristics of the boys and their behaviour in custody.

The study considers two central hypotheses: first, that to result in meaningful and supportive interventions, a definition of self-harm among the boys in the research sample often needs to include the harm they have done to their own lives (what the middle classes might call their 'prospects') through offending, and, second, that children who display the common traits of self-harming behaviour in custody

may be identifiable by a different set of characteristics and needs from those who self-harm in the community.

The author concludes that there is a previously undefined set of risk factors which can be applied to children who self-harm in custody for the first time, moving beyond the known risks associated with adolescent self-harm in the general population. Furthermore, it is found that boys who self-harm in custody are often doing so to exercise agency in an environment where they have very limited power, in circumstances defined not only by the restriction of liberty they are experiencing, but by the difficulties they experienced before coming to custody. Recommendations are made as to how policy-makers, through the current reforms to the youth justice system and a revised approach to assessments upon entry to custody, and practitioners, through increased awareness and improved recording of children's views can more appropriately intervene in these boys' lives to benefit them and society more widely.

DECLARATION

I declare that this thesis is my own unaided work. It is being submitted in partial fulfilment of the requirements for a Degree of Professional Doctorate in Leadership of Children's and Youth Services at the University of Bedfordshire.

It has not been submitted before for any degree examination in any other University.

Name of candidate: Poppy Elizabeth Harrison

Signature:

Date:

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Chapter 1: Introduction

Concerns about suicide and self-harm in English prisons are not new (Third report of the Commissioners of Prisons, 1880, cited in Liebling, 1992, p.17). However, a distinct system of intervention and custody for children (as established by the Crime and Disorder Act 1998) is relatively modern, and as such contextual studies about self-harm have largely, to date, overlooked children as a discrete group existing within a separate framework from adults. Similarly, large-scale research exploring self-harm among children in community settings has largely excluded the group of marginalised young people who come to the attention of youth justice services.

This study presents a unique analysis of 181 detailed youth justice assessments completed by Youth Offending Teams (YOTs) for boys who were remanded or sentenced to custody in under-18 Young Offender Institutions during 2014-15, tracing the subjects of the assessments from the communities they offended in through to a period in custody, through the use of additional information obtained from the incident reports completed whilst they were there. What results is a contextual study examining the characteristics of the boys, their backgrounds and their behaviour in custody.

The recruit comes into the establishment with a conception of himself made possible by certain stable social arrangements in his home world. Upon entrance, he is immediately stripped of the support provided by these arrangements. Goffman (1961, p. 24).

When Goffman's sociological exploration of 'The Inmate World' is transposed to the children's custodial environment, it offers a powerful (though theoretical) hint of the difficulties children in prison may face. He talks of the loss of 'fantasy materials' and the obsessions that develop among inmates with supplies like coffee and cigarettes which they had previously taken for granted. These losses are coupled with the requirement for children in custody to find new coping

methods to deal with what Goffman describes as ‘privilege systems’ and ‘mortification processes’ (Goffman, 1961, p. 61).

Consideration is given throughout the study to two central hypotheses: first, that to result in meaningful and supportive interventions, a definition of self-harm among the boys in the research sample often needs to include the harm they have done to their own lives (what the middle classes might call their ‘prospects’) through offending, and, second, that children who display the common traits of self-harming behaviour in custody may be identifiable by a different set of characteristics and needs from those who self-harm in the community.

Without considering the characteristics of those children entering custody to know more precisely how they differ from those who do not, and without properly examining the impact of imprisonment on people who are still developing, as linked to those characteristics, it is argued that there are limited opportunities for policy-makers and practitioners to effectively support children in custody and to protect them against self-destructing behaviour.

This study considers the extent of the particular characteristics known to exist among children who offend, within the context of imprisonment and its effects on children. It considers that this group of damaged, risky children and the unique impact of a custodial setting upon the propensity and nature of self-harm has been largely overlooked and that, consequently, the development of strategies to address such behaviour may be ill-informed for this particular group.

1.2 Some notes and definitions to assist the reader

To assist the reader, some of the most frequently used acronyms are explained here, along with some terms and explanations for their use within the thesis. The list of definitions is not exhaustive as many terms are defined when they are discussed within the main text of the thesis.

1.2.1 Note on the sample groups

Research group – when the term ‘research group’ is used, the author is referring to the whole research group made up of 181 boys (as described in the methodology chapter)

Sample group – When the term ‘sample group’ is used, it refers to one of the four sub-sets of the 181 boys used to structure the study. The defining characteristics of the particular sample group being described will be set out in the text but are given a key here for ease of reference. The sample group reference (for example, ‘group A’) will also appear in brackets for clarity throughout the text.

Group A - Children who were not known to have self-harmed either in the community or within custody.

Group B - Children who were not known to have self-harmed in the community who self-harmed in custody.

Group C - Children who were known to have self-harmed in the community but did not self-harm during their period in custody.

Group D - Children who were known to have self-harmed in the community and who also self-harmed during their period in custody.

The names of all the boys in the sample groups have been changed to protect their anonymity.

1.2.2 Note on use and editing of quotations

Asset (see definition below) documents contain a mixture of narrative and ‘tick-box’ information, recorded by youth offending team (YOT – see below) workers. A number of quotes have been taken from the narratives written by YOT workers, which frequently contained typographical errors or spelling mistakes. To aid the reader, obvious spelling mistakes have been amended without the use of square brackets. Other errors have been retained and are followed by the use of ‘(sic)’.

1.2.3 Definitions (arranged alphabetically)

Assessment, Care in Custody and Teamwork (ACCT)

The ACCT system is mentioned both in the body of the thesis and in some of the incident reports quoted throughout it. It is described as follows by the National Offender Management Service (NOMS):

[ACCT is] a broad, integrated and evidence-based prisoner suicide prevention strategy that seeks to reduce the distress of all those in prison, staff, prisoners and visitors. Any prisoner identified as at risk of suicide or self-harm must be managed using the Assessment, Care in Custody and Teamwork (ACCT) procedures. ACCT is a prisoner-centred, flexible care-planning system which, when used effectively can reduce risk. (Ministry of Justice, 2012a, p. 24)

ACCT is a policy applied to children and adults in custody. It is discussed further in the literature review.

Asset

‘Asset’ as a broad framework for youth justice assessments is described in more detail in the methodology chapter. However, readers will wish to note that wherever they read the words ‘Asset, ‘Core Profile’ or assessment, the author is referring to the Asset Core Profile assessment rather than any other part of the Asset framework. Where another part of the framework (most commonly the Bail and Remand assessment) is referred to, this is made clear.

Child and Adolescent Mental Health Services (CAMHS)

CAMHS is a term used to describe a range of services working with children with ‘difficulties with their emotional or behavioural wellbeing’ (National Health Service, 2014:online). The precise make-up of CAMHS varies between different areas, as do referral routes and treatment thresholds (National Health Service, 2014).

Children

This study focuses on the needs and issues of children; that is, people aged between 10 and 17 who are the potential group who could find themselves in youth custody. It draws on data and research primarily from England and Wales, with limited consideration of some sociological studies where samples are from other countries (most frequently the United States). The particular needs and characteristics of girls are not explored in the study, for reasons which are set out in chapter 3, and although data relating to girls is often included in larger, community-based samples, it should be borne in mind that the numbers of girls in youth justice custody are very small – in 2014-15 just 4 per cent of children in custody were girls and there are between 30 and 40 girls in custody at any one time (Youth Justice Board and Ministry of Justice, 2016).

Looked After Child (LAC) Status

Chapter 4 looks in detail at the care arrangements for the boys in the research group. For the purposes of this study, different routes into formal care arrangements were not explored, but it should be noted that the Asset Core Profile (from which information about care status was obtained) allows for information about children's care histories to be recorded against three categories, which are set out below:

Section 20 Children Act 1989 – Applies when a child becomes looked after by their local authority with the agreement (if they are aged 15 or under) of their parents. Parental responsibility is held by both the local authority and the child's parents although the local authority provides accommodation for the child. In the case of 16 and 17 year-olds, parental consent is not required but the child can leave the accommodation provided by the local authority without their parents' agreement (Coram Children's Legal Centre, 2016).

Section 31 Children Act 1989 – A section 31 care order must be made by the court when it is satisfied that the care order will help to prevent likely harm to a child, where the risk of harm arises as a result of the care given to the child. Care orders can only be applied to children aged 16 and under, and give the local authority parental responsibility for the child (Coram Children's Legal Centre, 2016).

Section 23(1) Children and Young Persons Act 1969 – Prior to the introduction of the Legal Aid, Sentencing and Punishment of Offenders Act (LASPO) 2012, there were two types of secure remand available to the courts in cases where a child had been charged with a criminal offence. One of these was a remand to custody, the other was a 'court ordered secure remand' whereby a child became 'looked after' by the relevant local authority and was required to be held in secure accommodation (but not a young offender institution) (Youth Justice Board, 2008a). Such a remand order no longer exists, but the current Asset framework

does not account for this. Under LASPO 2012, children are remanded under a single order which determines that they all attract ‘looked after’ status, but can be held in any of the secure accommodation available for children in the youth justice system (Ministry of Justice, 2012d).

Self-harm

Although there is some theorising within this paper about the types of behaviour which may or may not be considered to be ‘self-harming, the study has employed a recognised definition of self-harm, which it is felt would be uncontroversial to practitioners. It appears here, and later on, in the literature review, where definitions of ‘self-harm’ in the specific context of the study are explored further.

Self-harm refers to any damaging activity that individuals deliberately inflict upon themselves, including cutting, “overdosing” (self-poisoning), hitting, burning or scalding, pulling hair, picking or scratching skin, self-asphyxiation, ingesting toxic substances and fracturing bones. (NSPCC, 2009, p. 1)

Sentence types

The two key custodial sentences mentioned in this paper are described below. They are not the only custodial sentences available for children.

Detention and Training Order (DTO)

Detention and training orders are the custodial sentence most commonly given to children. They are between four months and two years in duration. Half of the sentence is served in custody and half in the community. Children serving the custodial element of a DTO are sometimes eligible to be released into the community before the half-way point in their sentence. Children serving the

community element of a DTO can be returned to custody if they breach the terms of their release and are recalled to custody by the courts (Hazel et al, 2002).

Section 91 (s91)

A custodial sentence under section 91 of the Criminal Courts (Court Sentencing) Act 2000 is for children who have been convicted of an offence, other than murder, which may result in a life sentence for an adult, or in certain circumstances where the maximum sentence for an adult convicted of the same offence would be fourteen years (Youth Justice Board and Ministry of Justice, 2016).

Youth Offending Team (YOT)

A Youth Offending Team (YOT) is a multi-agency team managed by a local authority. YOTs work with children who are involved in the youth justice system to manage interventions and provide support to prevent children from offending and with the aim of reducing re-offending amongst children who have committed crime. They were established by the Crime and Disorder Act 1998, and have input from a range of agencies including the police, education, health and probation services. When a child receives a sentence (whether it is served in the community or custody), YOTs have responsibility for managing the sentence according to the instructions of the court (Youth Justice Board, 2013).

Chapter 2: Literature review

‘Boys in prison are 18 times more likely to commit suicide than boys in the community.’ (Prison Reform Trust, 2007). This assertion is drawn from analysis conducted in 2005 (Fazel et al) into prison suicides among boys and men between 1978 and 2003, using the deaths of 28 boys aged 15-17 years during the period to produce a standardised mortality rate which the authors noted should be interpreted with caution.

What do we really know about self-harm and suicide among under-18-year-old boys in custody? Although there is some debate as to whether self-harm and suicide exist on a continuum or as distinct behaviours, evidence tells us that those who have previously self-harmed are at a higher risk of completing suicide than those who have not (Ramluggan, 2011; Hawton et al, 2014). In the custodial context this becomes both more relevant as a proposition and important as a predictor of risk than it might in the community, both because of the responsibility¹ of the incarcerating authorities to care for children who are imprisoned, and because of the unusual situation that these children find themselves in.

To explain what is meant by use of the term ‘unusual’ in this context, it is pertinent to consider that, based on population data from 2011 (Office for National Statistics, 2011) and custody data from 2014-15 (Youth Justice Board and Ministry of Justice, 2016), children in custody make up approximately 0.02 per cent of the 10-17 population in England and Wales. However, given that estimates (Prince’s Trust, 2010) suggest that youth crime in England and Wales costs just under £400 million each year (with greater costs again associated with

¹ Section 11 of the Children Act (2004) requires that the directors or governors of secure establishments holding children must ensure that ‘their functions are discharged having regard to the need to safeguard and promote the welfare of children.’

the social and economic costs of continued offending and vulnerability amongst those who continue to offend in adulthood), there is significant value, in addition to what we owe these children from a moral standpoint, to be gained in better supporting and understanding the needs of this group.

Much of the historical and more recent research (Liebling, 1992; Snacken, 2005; The Prison Reform Trust and INQUEST, 2012) examining the issue of self-harm and/or suicide among people in custody draws children, as defined by the United Nations Convention on the Rights of a Child (UNCRC), and young adults (up to the age of 21) into a single group. While this is an understandable approach, given the small numbers and varying quality of data available for under-18s, it does not reflect the custodial framework and so provides opportunity for false conflation. It also fails to recognise the distinct characteristics of childhood, which are frequently supported by levels of care and support in both universal and specialist services which are not afforded to adults.

There are some simple differences between children and adults, contributing to characteristics which while not unique to either group, are likely, when applied to large numbers, to change incrementally as chronological age increases:

1. Children have fewer ties or dependants, such as children of their own or a long-term partner (Johnson, 1978 cited in Liebling, 1992). Those ties they do have will be characterised differently from those of adults and will involve different power dynamics and (for example) less choice and agency about how the relationship is managed.
2. Children (particularly those in the criminal justice system) are likely to have less 'occupation' – work, education or training – than adults. Although all children should be engaged in some form of education or training, evidence suggests that a large number of those in the youth

justice system² have either absented themselves or been forcibly excluded from school (Youth Justice Board, 2008b).

3. Suicides among children are believed to be more ‘situation specific’ (Liebling, 1992, p. 81).
4. Self-harm among children in custody is more likely to employ hanging, which is a much riskier form of self-injury than cutting – the most common form of self-harm (Dooley and Wool, 1987).
5. Children (and young adults) are emotionally and cognitively less mature than adults aged over 25 years (Prior et al, 2011) and linked to this, children are more likely to have communication difficulties and difficulties managing their own behaviour and relationships with others as a result (Bercow, 2008).

In relation to the custodial framework for children, the UNCRC specifies that children and adult prisoners should not be held together. There has been a commitment since the Youth Justice Board was established in 2000 that there should be separate custodial estates for children and adults (Youth Justice Board, 2006). This has afforded an opportunity for the youth justice estate to be developed with specific regard for the needs of children.

The evidence suggests that there are a number of factors and characteristics among children which differentiate them from adults, and a number of opportunities to provide them with additional support to that which is available to adults. The proven benefits of early intervention (Munro, 2011) make the availability of specific information about the needs of children who self-harm in

² Forty-one per cent of children in the youth justice system recorded that they regularly truanted from school and in 1996 the Audit Commission found that 42 per cent of young people who offend sentenced in youth court had been excluded from school.

custody attractive from both a moral and a public policy position and therefore drive the focus of this study.

2.1 The current context of youth custody

Over the past decade, the use of custody for children has reduced significantly. In October 2006 there were an average of 2999 children in custody in England and Wales. In October 2016 the number was 875 (Ministry of Justice and Youth Justice Board, 2016). The reduction in the number of children in custody has been accompanied by a fierce programme of decommissioning of the youth custodial establishments, driven by both a reduction in the need for places (as evidenced above), a policy objective in relation to the detention of girls (which saw the Youth Justice Board decommission all YOI places for girls in July 2013) and significant austerity measures introduced by the coalition government (Youth Justice Board, 2015d).

The youth custodial estate is currently configured with three different types of secure accommodation:

Under-18 Young Offender Institutions (YOIs):

- four are run by the National Offender Management Service (NOMS) and one by a private company
- are for boys aged 15 to 18 (two sites hold both boys and 18-21 year-old men, in different buildings)
- house between 60 to 400 boys, split into ‘wings’ of 30 to 60 children
- have the lowest staff to child ratios across the secure estate for children

Secure training centres (STCs):

- as of July 2016, two are run by private companies and one by the National Offender Management Service³

³ From 1998 to 2016 STCs were operated only by private contractors

- are for children aged up to 18
- house between 50 and 80, split into units of five to eight children

Secure children's homes (SCHs):

- all eight currently commissioned for justice placements are run by local authorities
- are for children aged 10 to 18 and normally accommodate the youngest children in custody
- can hold children detained for welfare, as well as youth justice purposes
- house between eight and 40 children
- have higher staff to child ratios than other types of custody

(Information taken from unpublished Youth Justice Board briefing document, 2015).

Though the numbers of children in custody have reduced over recent years, levels of violence against others, the use of restraint and self-harm have not. Across all three establishment types, data (Youth Justice Board and Ministry of Justice, 2016) show that all three indicators have risen in the years since 2010 when calculated as rates per 100 children in custody. There is some, as yet unpublished (and therefore un-critiqued) evidence that some of these increased risks are reflective of the demographic of children now arriving in custody when compared to the larger, and arguably more diluted (with children being held in relation to lower level offending) population of five or ten years ago. Some of the available evidence in relation to this argument was also advanced by Bateman and Hazel (2014). In addition though, there are prominent criticisms that in YOIs in particular, practices to deal with violence, bullying and anti-social behaviour are ineffective (for example see HM Chief Inspector of Prisons for England and Wales, 2016). Whatever the reason, a child in custody now is more likely to be involved in a violent incident of their own or someone else's instigation than they were in the past. None of the main-site publicly operated YOIs in England are 'sufficiently' safe according to HMI Prisons (2016).

Over the past years there have been successive attempts to get to the heart of the current failures of YOIs, and more recently, STCs, and to find a model of custody that is both cheap and delivers the government's rehabilitative objectives of the day: three years ago, with plans to 'transform youth custody' through the now aborted plans to introduce 'Secure Colleges' (Ministry of Justice, 2014) and most recently an announcement that the government will pilot two 'Secure Schools' following a review of the youth justice system by educationalist Charlie Taylor, which was completed in the summer of 2016 and published later that year (Taylor, 2016 and Ministry of Justice, 2016).

Though Taylor advocated a need for '...fundamental change...' (p. 37) in the current youth custody system, and cited secure children's homes as examples in practice of effective care and support for children who need to be held securely for criminal justice purposes, this is not his proposed model for replacing YOIs and STCs. It remains to be seen whether Secure Schools will achieve the aims set out by Taylor and by the government, or whether they will materialise at all, given the frailties of political will and public finances. Despite significant evidence and argument to suggest that YOIs are an ineffective, inefficient and even harmful form of custody, it is the author's view that they are likely to remain part of the custodial landscape for some time to come, reinforcing the need for studies such as this to consider the children's experiences in such contexts.

2.2 The representation of children in studies of suicide in prisons

Topp's study in 1979 was at the time of publication the 'only systematic and contemporary study of suicide in English prisons' (Home Office, 1984, p. 3) and the first review of any kind since the very early part of the 20th century. The 1979 study examined records of 186 suicides among male prisoners in England between 1958 and 1971. The work was updated by Dooley in 1990 with a similar review of 295 of the 300 suicides in prisons in England and Wales between 1972 and 1987. This study included consideration of the small number (five) of female suicides during the period. Despite finding that between 1958 and 1971, forty of

the 186 suicides or suspected suicides were of males aged under 21, Topp made no specific reference to the characteristics or needs of children or young adults in his study, and although Dooley's work included children, no reference was made to the number of deaths of under-18s (or under-21s) in the report. In 1984, after publication of Topp's study, the recently established Her Majesty's Chief Inspector of Prisons (HMCIP) undertook a thematic review of suicides in prisons which interestingly does not develop the issue of suicide among children and/or young people, reporting only that prison staff were required by central guidance to notify next of kin in some circumstances where young people had self-harmed or attempted suicide. This was despite the fact that a key trigger for the Inspector's report had been the death of 18 year-old Jim Heather-Hayes at Ashford Remand Centre in July 1982, where the inquest verdict pointed to the 'lack of care' delivered by the Prison Department in the case (Home Office, 1984, p. vii). It is perhaps also worthy of note that a written question in Parliament in 1983 into the case of Jim Heather-Hayes (Hansard, 1983) makes no reference to his young age or to any specific concerns for younger prisoners.

During the 1980s and early 1990s, prison suicides (especially among those aged 15-24, who were then defined as 'young offenders') increased in the United Kingdom (Liebling, 1992), and attracted media attention, which in turn led to an increase in research on the topic, along with some of the first specific studies looking at the issue of suicide and self-harm among young people. It seemed that for the first time since it had been explicitly identified by the Medical Inspector for Prisons in 1911, the higher incidence of suicide among young prisoners⁴ when compared with their older counterparts was being recognised as an issue worthy of exploration in its own right. Liebling identifies the debate around the question of treating young prisoner suicides and suicide attempts as a 'special case' (Liebling, 1992, p. 68). The evidence and opinion surrounding it is clearly explained in the comprehensive publication 'Suicides in Prison', concluding: 'Young prisoner suicides may ... be more situation specific than suicides amongst

⁴ The definition of a 'young' prisoner varies between studies but generally refers to those aged from 15 years to their mid-20s.

the general prison population.’ (Liebling, 1992, p. 81). In reaching this conclusion, Liebling suggests that younger prisoners may be more prone to the influence of their surroundings as possible triggers for self-harm, where older prisoners may be more likely to self-harm as a result of psychiatric problems.

In the late 1990s, significant structural and political change in the field of youth justice saw the establishment of the Youth Justice Board, which (from 2000) would have responsibility for placing most children remanded or sentenced to custody in a distinct youth justice custodial estate. It was inevitable that this clear distinction between the youth and adult justice systems allowed more targeted consideration of the needs of those aged under-18. This was as opposed to previous research which had blurred the boundaries between child and adulthood, reflecting a prison infrastructure which did the same. In 2005, the first specific research (Goldson and Coles) looking at child deaths in penal custody was published. At that time there had been twenty-eight deaths in the fifteen years (since 1990) covered by the study, twenty-six of which were self-inflicted. The principal aims of the report were to analyse the available information about the deaths in the context of public policy and penal practice and to provide recommendations which would seek to minimise the risks of further deaths. Goldson and Coles recognise the challenge in designing a methodology for such a study and seek to consider the available information from a number of different angles. Ultimately, the report focuses on the structural deficits of custody in being able to support children who are at risk of killing themselves in custody and recommends that further and continuous learning needs to be undertaken by Government and policy-makers. Critically, Goldson and Coles do not seek to find a typology or gain greater understanding of the children who died and what this could tell us about how they could have been better assessed or supported, but focus on the need to improve policy and practice – seeking deep structural changes to the landscape of custody for children. This is a worthwhile and highly relevant approach but has the potential to overlook the need to better understand the impact of the culture of custody and the restriction of liberty on individual children who may be at risk of self-harm or suicide. For example, even with the

removal of all political factors but retention of a circumstance where some children (accepted by all as coming from the most vulnerable groups in society) will be deprived of their liberty still presents a difficulty in designing a secure setting that meets the needs of a group of children in a unique set of circumstances, amounting to a social exclusion with the potential to have a detrimental impact on their likelihood of suicide. The concern then, perhaps, must be with what we know about the impact of custody on children and the level of toxicity created by the combination of vulnerability, criminality and incarceration.

To some extent, the findings of 'In the Care of the State' were updated in 2012 when the Prison Reform Trust and INQUEST published 'Fatally Flawed: Has the state learned lessons from the deaths of children and young people in prison?' This report focused on both children and young adults, and appeared in the context of three child deaths in YOIs during 2011 and 2012 – the first for more than three years, and the deaths of twenty young adults (aged 18-24) in custody during 2011 – double the number who died in the previous year but not as high as the peak since 1990 of thirty-one deaths of 18-24 year-olds in 2003 (Prison Reform Trust and INQUEST, 2012). *Fatally Flawed* made thirteen recommendations to Government but again took a different tone from Liebling's work and other academic studies of suicide in prison in that it did not seek to identify what about the custodial environment impacts on children, and it therefore does not add significantly to an understanding of the particular needs of at-risk children in a custodial environment.

2.3 The representation of children in studies of self-harm in prisons

One could argue that... deviant behaviour is self harming in its self because it endangers or even damages developmental prospects and options. (Greve et al, 2006, p. 177).

An agreed definition of what is, or what behaviour can be described as 'suicide,' or even 'suicidal' is far closer between researchers and practitioners than an

equivalent for 'self-harm.' And although it is agreed that self-harming and suicidal behaviours are normally distinct, there are a range of views about the degree of linkage between the two and specifically whether self-harm should be considered as existing on a continuum to suicide. Before exploring specific literature on the issue of self-harm in custody, particularly that which examines children, it is important to consider the terms and their meanings in a little further detail. Definitions referenced here are taken from reports which consider children and young people who may self-harm, although the question of whether behaviours, risk factors and therefore (potentially) definitions need to be considered differently for children and adults is discussed later on.

The National Society for the Prevention of Cruelty to Children (NSPCC) defines self-harm as follows:

Self-harm refers to any damaging activity that individuals deliberately inflict upon themselves, including cutting, "overdosing" (self-poisoning), hitting, burning or scalding, pulling hair, picking or scratching skin, self-asphyxiation, ingesting toxic substances and fracturing bones. Broader definitions of self-harm include drug and alcohol misuse and eating disorders.... (NSPCC, 2009, p. 1).

Fox and Hawton explore the debate around terminology further in their book 'Deliberate Self Harm in Adolescence' (2004), referencing a definition from the Mental Health Foundation alongside one advanced by the organisation YoungMinds:

...a way of dealing with very difficult feelings that build up inside. People deal with these feelings in various ways. For example by cutting, burning or bruising themselves, taking an overdose of tablets, pulling hair or picking skin. (YoungMinds 2003, cited in Hawton and Fox, 2004, p. 13).

This latter definition differs from that put forward by the NSPCC in that it encompasses the issue of motivation (be it known or not by the person inflicting the harm), which, in the view of many writers, is what sets self-harming apart from suicidal behaviour. There is a further theory, though, that suicidal behaviour is sometimes displayed by individuals who do not want to die:

Suicidal behaviour can also be conceptualized in terms of suicidal intent; whether the individual at the time of the episode of suicidal behaviour had a wish to die or whether the episode occurred without a wish to die in the secure belief that death would not occur as a result of their actions. (Fox and Hawton, 2004, pp. 14-15).

This acknowledges a further blurring of the possible boundaries between definitions of self-harm and suicidal behaviour; Fox and Hawton suggest that there are three categories of individuals who display suicidal behaviour: those who want to die, those who do not want to die and those who are ‘ambivalent’ about whether they live or die.

The National Offender Management Service (NOMS) does not provide or make reference to a definition of self-harm or suicidal behaviour in its instruction to prisons, including those which hold the majority of children in custody. The nature of the custodial environment, where resources to facilitate self-harming and suicidal action will be different to those available in an ‘open’ setting mean that the boundaries are further confused in this specific setting. Snacken (2005) provides the example of vein cutting in this environment, as a behaviour which could be interpreted as either self-harming or suicidal. Because of this, Rose (2002) emphasises the need for each secure unit working with young people to have a model for understanding self-harm which is known and understood by all staff.

Despite the frequency of self-harm in prisons and the persistent challenge it presents to custody providers in managing the problem and keeping the people in

their care safe, there seems to be relatively little specific research on the topic of self-harm in UK prison settings. In relation to children and young people in particular, literature searches return a number of ‘trade press’ articles citing concern about published self-harm data relating to children in the youth justice secure estate (for example, see Puffet, 2009; Puffet, 2010; Revans, 2003), but very few research publications. In the broader research arena, where adults are the focus of self-harm research, or where the research is looking at the broader custodial environment for children or suicide among children and young people in custody (Rose, 2002; O’Neill, 2001; Liebling, 1992), children (as a specific group) and self-harm are discussed in the periphery. There seem to have been few attempts to understand, contextualise or categorise the nature of self-harm among children in prison, and what might set it apart from either the self-harming behaviour of adults in prison, or of other children in a non-custodial environment. The limited body of research that does exist tends to focus more on perceptions of self-harm among children and custody staff (for example, Marzano et al, 2012).

2.4 The challenge and relevance of drawing comparisons: children in custody

Liebling’s research into the experiences and situations of young prisoners attempting suicide, which employed a comparative approach, was the first prominent, and arguably the most important, study on this issue and of this type undertaken with young people, and has not been repeated since it was undertaken in 1991. The work identified that:

Most [previous] studies have lacked control groups, so it is impossible to know whether the alleged characteristics of suicides and suicide attempters are merely reflecting characteristics of the prison population group from which they are drawn. Prison suicides may in any case have a different profile from suicides in the community, on which the development of the prisoner suicide profile has been based. (Liebling, 1992, p. 127)

The relatively small numbers of children (aged under 18) who take their own lives in custody have meant that conclusive and quantitative research has been—thankfully—difficult to undertake. In 2005, research published in *The Lancet*, which sought to provide standardised mortality rates (SMRs) for deaths of male prisoners in England and Wales between 1978 and 2003 to enable a comparison with suicide data for the general population, made the following comment:

The SMR for suicide at all ages was increased five-fold [for those in prison compared to the suicide rate for the general population]. The point estimates of the SMRs for suicide in adult male prisoners by age band generally ranged between four-fold and six-fold, apart from boys aged 15-17 years in whom the SMR was 18, although based on only 28 deaths and should therefore be interpreted with caution. (Fazel et al, 2005, p. 1301)

‘Suicide is Everyone’s Concern’ (Her Majesty’s Inspectorate of Prisons for England and Wales (HMIP), 1999) considered carefully the issue of comparison between suicide characteristics and trends in community and custodial settings. It identified trends for falling suicide rates in the 1980s and 1990s in the community, comprised of rising numbers of deaths among the 15 to 24 age group, contrasted with dramatic increases in self-inflicted prison deaths during the same period. Although the findings of the report are now 17 years old and do not entirely reflect the current situation in relation to deaths in custody, the questions asked and the presentation of comparative information from community data, international research and of ethnicity and age were all significant in shaping the thinking about suicide in the custodial environment. The report supports Liebling’s 1997 ‘Typology of Prison Suicide,’ which identifies some distinct characteristics among younger prisoners who take their own lives. HMIP concludes from this:

The research of Liebling (1992) which first identified the vulnerable typology was carried out on young prisoners and it is likely that the risk of suicide in this group is far more a function of vulnerability than of

psychiatric illness. (Her Majesty's Inspectorate of Prisons for England and Wales, 1999, p. 22)

This presents a distinct and valuable prism through which the needs of young prisoners could be better understood.

2.4.1 The challenge and relevance of drawing comparisons: children in the community

The question of whether self-harm and/or attempted suicide among young people in custody is more common than among their peers in the community is a vexed one; not least because of the varying accounts and records of young people who self-harm in everyday life.

The NSPCC's (2009) briefing paper summarises some of the methodologies employed to draw out self-harm statistics in studies which have considered prevalence, and at the same time identifies one of the key difficulties associated with the approaches:

Prevalence figures are bound to understate the true extent of self-harming, because it is often kept secret as young people are reluctant to admit to it. (NSPCC, 2009, p. 1)

Meltzer et al's 2001 report sought to identify the prevalence of self-harm among children aged 5-15, following a survey of over 10,000 children, 4,249 of whom were aged 11-15. Participants in the study were identified from child benefit records and wherever possible, both children and their parents were interviewed. The study found that according to children's self-reporting, 5.8 per cent of 11 to 15-year-olds had attempted to 'harm, hurt or kill'⁵ themselves, a figure which compares with parents' reporting of 2.1 per cent, relating to the same group.

⁵ This was the terminology used in the questionnaire used to interview young people and their parents, who were asked about behaviour over the lifetime of the child.

Green et al's 2004 study of mental health concerns among children and young people adopted a similar methodology to that used by Meltzer et al in 2001. The approach yielded 7,977 interviews with children and their parents, but looked at a much wider range of issues. Results in the category of self-harm were combined with those obtained for 11 to 15-year-olds in Meltzer et al's study and found that 7 per cent of 11 to 16-year-olds reported that they had attempted to hurt, harm or kill themselves in the past (Green et al, 2004).

Keith Hawton (2002) has undertaken significant work to better understand the prevalence and causes of adolescent self-harm. His most ambitious attempt to quantify self-harm among teenagers was in 2002, when a study of 6,020 15 and 16-year-olds was conducted in forty-one English schools. This study found that 6.9 per cent of the group who took part reported that they had self-harmed. The data and findings contributed to the Child and Adolescent Self-harm in Europe (CASE) Study.

All writers on this topic acknowledge the very great difficulties associated with gathering data on self-harm among young people in the community, citing inconsistency in terminology, differences in data collection techniques and the secretive nature of self-harm as key factors in this (Fox and Hawton, 2004). It seems possible that the data gathered within the youth justice secure estate which record and categorise self-harming behaviour are, while still subject to some inaccuracy (since they identify only known incidents of self-harm), a source⁶ of information less likely to understate the incidence of self-harm in this context than measures in the community. The data (Youth Justice Board and Ministry of Justice, 2013, Table 8a.8) tell us that between 2008-09 and 2010-11 3 per cent of young people in custody were observed to have engaged in self-harming behaviour during their time in custody. This information offers a useful comparison by which to begin to build a greater understanding of self-harming

⁶ Children in custody are subject to regular observation and so incidents of self-harm are far more likely to be identified in this setting than in a community environment.

behaviour in either a closed or open environment. It needs, however, to be considered in the very specific context which creates it if it is to tell us whether self-harm is more or less of a 'problem' in custody and/or suggest that there are correlations to be drawn between the findings of the 'community' based studies and what is known about children and young people in custody. This is explored in the following paragraphs.

2.4.2 The limitations of definitions and sample sources when seeking to draw comparisons between datasets

Table 2.1 summarises five key studies/sources of data describing the prevalence of self-harm among children in community and custodial settings. Meltzer et al employed a broad definition when surveying children and their parents in 1999, asking respondents simply to identify whether they (or their child in the case of the parents being interviewed) had tried to 'harm, hurt or kill' (Meltzer et al, 1999, p. 7) themselves either within the last month or at any point in their lives. The published results do not indicate that any further categorisation of self-harming behaviour was undertaken by the researchers and so it is not possible to use the study as an indicator of severity or self-harm type.

While the data available about self-harm among children in custody clearly could not be transposed to support an analysis of the needs of children in the community, it should be considered that the same is true in reverse, not least because the data samples used by Hawton, Meltzer et al, and Green et al will, by definition, exclude certain groups of children who are known to be overrepresented in the youth custody population. Hawton's survey collected data from children in schools; this approach is very likely to have excluded a significant number of children who share characteristics with those in the youth justice or youth custody system, given what is known about the low scholastic engagement among children in the youth justice system (Youth Justice Board, 2008).

Similarly, the approach employed by Meltzer et al and Green et al – drawing survey participants from child benefit records – will have (presumably inadvertently) excluded a large number of looked after children, most of whose parents and/or carers will be unable to claim child benefit for them (Her Majesty's Revenue and Customs, 2013). This finding is corroborated by the absence of children in care as a grouping within the analysis of self-harm by socio-demographic and family characteristics in Meltzer et al's report. Despite this, the report notes that of those children who said they self-harmed, 21 per cent of families had been in contact with social services, although no further analysis is offered to explain for what purpose this was, or how the figure compared with the families whose children did not report self-harming behaviour.

It was found by Schofield et al that:

Although a small minority of looked after children aged 10-17 offend in any one year (7.9 per cent), this is more than twice the rate of children in the community (3 per cent) (Department for Education, 2011). But also of concern is the fact that between a quarter and a half of children in custody have been looked after (HM Inspectorate of Prisons/YJB, 2009). (Schofield et al, 2010, p.12)

When this finding is coupled with the fact that of the fifteen boys to have taken their own lives in youth custody since 2000, at least ten⁷ had been in the care system at some point before entering prison (Youth Justice Board, 2012) there would appear to be a strong argument to suggest that a data sample excluding looked after children would not be representative of the characteristics or needs of children in youth justice custody.

⁷ Information about care status is not available for two of the boys.

Table 2.1– Data studies of self-harm and attempted suicide among children

	Meltzer	Green et al	Hawton	Youth Justice Board	Jacobson, Bhalawa et al
Year of publication	2001	2004	2002	2012	2010
Methodology	Survey of 4,249 11-15 year-olds and their parents – identified from child benefit records	7,977 interviews with children and their parents on a range of mental health related topics. Research subjects were identified from child benefit records and findings in relation to self-harm were combined with Meltzer's earlier data.	Survey of 6,020 15 and 16 year-olds in 41 English schools	Reporting from custodial establishments identifying all incidents of self-harming behaviour amongst children in custody	A census of 6,000 children remanded or sentenced during 2008, with a detailed review of the backgrounds of 200 sentenced children and 100 children remanded
Findings	5.8% of children surveyed reported previous attempts to hurt, harm or kill themselves. 2.1% reported that their children had attempted the same.	7% of 11-16 year-olds reported having attempted to hurt, harm or kill themselves.	6.9% of children in the survey reported previous self-harm	3% of children self-harmed whilst in custody during the period 2008/09-2010/11	20% of the 200 sentenced children reported previous self-harm and 11% reported previous suicide attempts

The available data in the major surveys looking at adolescent self-harm come from asking respondents to explain whether they have self-harmed in the past – they are not asked to specify when the self-harming took place nor how frequently or how the harm was administered. Self-harm data from custody represent behaviour in a completely different timescale to that identified in the community-based research reports. As is explored later, the average period of time spent in custody by a child is one-hundred days (Youth Justice Board and Ministry of Justice, 2016). The reports which describe 3 per cent of children self-harming in custody over a three-year period are therefore representative of a child's behaviour over a much shorter period of time than is captured by the community based large-scale studies. In this context, it would be a mistake to disregard the findings of Jacobson et al (2010) in their report 'Punishing Disadvantage' on the grounds that their sample size is significantly smaller⁸ than the community studies cited above. Drawing on analysis of the backgrounds of only 200 sentenced children in custody, the research established a high reporting of self-harming behaviour among children in custody, 20 per cent of whom reported previous self-harm and 11 per cent of whom reported previous suicide attempts. In fact, the disparity between this data and the (albeit differently framed) Youth Justice Board data only goes to illustrate the very great difficulties encountered when researchers, policy-makers and others seek to understand what characteristics or backgrounds could increase propensity for self-harm in children in custody. There are two clear differences between the datasets here which would impact upon further analysis: first, the study by Jacobson et al counts incidents of self-harm at any time and is not restricted to the period of time in custody, making it a more useful tool for comparison with the community-based studies referenced above; and, second, the YJB data is based on reporting from institutions, whereas the information in Jacobson et al's research comes primarily from self-reporting. Both sources have their own inherent and potentially conflicting biases. Ultimately, no single dataset or study offers sufficient depth to enable effective comparison. Yet

⁸ Smaller in quantum but not as a proportion of the group it seeks to represent.

this is the only current evidence available on which decisions about how to assess and support children in custody are based.

2.5 Assessments of children in the youth justice system

There are numerous accounts (for example, Pitts, 2001, Solomon and Garside, 2008 and Goldson, 2000) of the aims, architecture and achievements (or otherwise) of the modern youth justice system in England and Wales, whose form was established by the Crime and Disorder Act (1998) and delivered by the Youth Justice Board; established as a non-departmental public body in the same year. The aims – rightly or wrongly - of the system established by New Labour in the late nineties were to establish clear principles and greater centralisation and consistency of approach to address youth crime. The (then) government's ambitions were set out in a white paper: 'No More Excuses: A new approach to tackling youth crime in England and Wales' (Home Office, 1997). The consultation document's title made clear the expectation the new Labour government had for children and those working with them but hinted at what would quickly be recognised as a stance on youth crime somewhat at odds with traditional socialist thinking on crime (Brownlee, 1998). The uneasy relationship between punitive and welfare-based approaches to child criminals has, in the author's view, persisted ever since. This founding dichotomy has pervaded every aspect of the modern youth justice approach and is entirely relevant when considering the theoretical framework behind both the development of the Asset assessment framework, and its replacement: AssetPlus. In fact, discussions about approaches which seek to separate risks of offending and risks to the welfare of the offender (see for example, Case and Haines, 2009) are far more relevant in the context of this thesis than debates about the extent to which the prescribed assessment framework is the product or architect of a 'managerialist' culture (Baker, 2005) in youth justice.

To inform an understanding of Asset's effectiveness for identifying (as a relevant example) risks of self-harm in custody, it is relevant to consider its origins – both

in terms of the initial ‘commission’ for the framework and the theoretical principles which underpinned its development.

As Farrington summarises, the 1990s saw much academic discourse about what he coined as ‘Developmental and life course criminology’ (2003: p221). A stand-out concept at this time, and one which continues to underpin the development of assessments in the criminal justice system and elsewhere, is the risk factor paradigm (RFP).

Though Farrington was, in 2003 enthusiastic about the possibilities of future research and debate about the RFP and developmental criminology, some of his contemporaries have not been so keen. Haines and Case, writing in 2008, set out a compelling description of a political and policy establishment over-reliant on the RFP to structure the development of services for children in the youth justice system. Their well supported argument suggests that the RFP is a negative starting point because it focuses on deficits rather than on opportunities for change and that such an approach will limit availability and delivery of services which promote protective approaches to crime. They further assert that the RFP does not

...adequately explain or examine the relationship between risk factors and neighbourhood socio-economic status... [and that] ...marginalized populations can become burdened by (actuarial) risk assessment because they live in circumstances that correlate highly with offending and are in a weak political position to resist classification. (Haines and Case, 2008: 11-13)

And, Farrington himself concludes that:

There are many other unresolved issues concerning risk factors for offending. We know a great deal about family risk factors (especially) and individual risk factors, but far less about biological, peer, school, or neighborhood risk factors. Little is known about risk factors for

continuation of offending after onset, for later onsets after age 20, or for persistence or desistance of offending after age 20. Little is known about risk factors for the duration of criminal careers. Little is known about the causal processes that intervene between risk factors and offending. And little is known about protective factors, whether defined as factors that are opposite to risk factors (e.g., high school achievement compared with low school achievement) or as factors that interact with and counteract the effects of risk factors (Lose1 and Bender, 2003). (Farrington, 2003: 227)

But it was in this context and with a government swayed by the potential of the RFP as outlined in Misspent Youth (1996) that the YJB was created. It commissioned the development of Asset in 1998.

The University of Oxford was successful in bidding to develop the framework on the YJB's behalf (Baker et al, 2002) at a time when new risk assessments were being introduced for adult offenders. In addition to basing the design of Asset on the newly introduced OASys (Almond, 2011), the developers conducted 'a review of the literature on risk factors for offending by young people' (Baker et al, 2005, p.10), and were informed in their work by an advisory panel. It is suggested by Baker (2005) that the literature review and the almost parallel development of assessments in adult and youth justice based on a risk factor prevention paradigm drew heavily from Blumstein's work, a decade or more earlier, described in his book 'Criminal Careers and "Career Criminals"' (1986). This is somewhat troubling since though the work of the Criminal Careers Panel was insightful about risk factors which could predict future offending, it highlighted specific and significant caveats in relation to child offenders, explaining that 'Most youth who present any one of the precursors do not initiate serious criminal careers' (Blumstein et al, 1986, p.3). The argument, therefore, that the same theoretical underpinning could be used to establish a national framework for the prediction of the risk of youth offending as for adults, is inherently flawed. O'Mahony (2009) offers a helpful summary of the difficulties in applying the risk factor prevention

paradigm to youth justice, referring frequently to work by Hinshaw (2002), Farrington (see, for example Farrington et al, 2006) and Case (2007).

From reviewing the key literature on this topic, it seems that a conflation between correlation and causation has led to an overreliance on the risk factor predictor paradigm. For example, Farrington et al (2006) assert that:

‘Since the most prolific offenders start early, an important policy aim should be to prevent the early onset of offending’ (p. 5)

This is problematic. To suggest that persistent offending could be reduced by preventing offending amongst the youngest children is to undermine other findings from the study, which find links between static risk factors (such as having a young mother or a convicted parent) and persistent offending. If those children who displayed such risk factors were targeted and the onset of their offending delayed, would those risk factors cease to suggest causality? Additionally, though there are clear correlations between certain offending patterns and characteristics of the subjects’ lives, to use this information to target early interventions to prevent criminal behaviour would certainly target a large number of children who either were not at risk (risk in real life, not statistical risk) of committing crime or whose crime would not lead to them becoming ‘career criminals’. Furthermore, Asset does not allow for account to be taken of whether a life characteristic (such as neighbourhood or deprivation) are the cause or symptom of criminal behaviour or the *extent* to which they contribute towards risk (Knuutila, 2010). It has also been found (Wilson, 2013, reinforcing Sutherland’s findings in 2009) that such risk factors, when identified as such are, unsurprisingly, not so well targeted by YOT interventions as those related to the individual.

The risks associated with policy recommendations and approaches (the like of which were readily adopted by those developing the ‘new youth justice’ (Goldson, 2000)), including those who developed Asset, are described by Bateman, who says that:

It may... be the case, as some have argued, that erroneous and/or distorted readings of crime statistics have served to legitimise drastic responses to young people who offend... (Bateman, in Goldson and Muncie, 2006, p. 73)

In 2010, Goldson described the difficulties with an interventionist-based approach to youth crime, highlighting the impact that structured and targeted ‘early’ interventions were having on children who were being drawn closer to the formal youth justice system because of a deficit model for addressing risk, and one which could often increase children’s contact with the factors in their lives identified by Asset or other assessments as negative. An example of this would be the use of curfews and ‘tagging’ to ensure that a child remained at home rather than outside where they were becoming involved in ‘anti-social’ behaviour. Where family relationships and poor parenting had been identified as a key risk factor, such interventions had the potential to exacerbate rather than mitigate behaviours.

The proven failure (Day et al, 2016) of the much trumpeted coalition Tory and Liberal Democrat ‘Troubled Families’ programme evidences much of what the critics of the risk factor predictor paradigm as applied to youth justice have said. A recently published impact evaluation of the programme describes a set complex referral and eligibility criteria based on factors identified as suggesting that families requiring support under the initiative. The Troubled Families work set out to improve outcomes in several key areas (for example, health, employment, education, offending, housing and benefits receipt) of the lives of subjects and to reduce long-term costs to the taxpayer. Of relevance to this study, the impact assessment found that there was ‘...no statistically significant evidence that participation in the Programme had an impact on adult offending...’ (Day et al, 2016, p. 60). The same was true for children involved with the criminal justice system; indeed, against some measures, the comparison group fared better than those who had participated in the Programme. It is also reported that:

In general, the substantial majority of families in both the Troubled Families and matched comparison groups had not been in trouble over anti-social or criminal behaviour. (Day et al, 2016, p. 61)

This is an important note if triangulated with the predictive risk factors for youth crime (many of which formed the basis of the Asset assessment) and the criteria for entry to the Troubled Families Programme. Four key criteria defined families to be eligible for support under the Troubled Families Programme. They had to:

- Be involved in crime and anti-social behaviour
- Have children not in school
- Have an adult on out of work benefits, and (if only two of the first three criteria were met)
- Have caused high costs to the public purse.

By way of comparison, guidance published by the Youth Justice Board (2005) sets out (amongst others) the following risk factors which can support targeted interventions to prevent youth offending:

- History of family involved in criminal behaviour
- Lack of commitment (including truancy) to school
- Family surviving on a low income

The clear overlap between these two lists, against the findings of Day et al that (a), the majority of families who met these criteria had not been in trouble with the law and (b) that the interventions provided to these families had either a negative or no impact on the offending rate of participants when compared to a control group would suggest that conflation between correlation and causation are also, in public policy terms, tied up with confusion about to what extent correlative factors are really indicators of risk.

A major problem with Asset is its starting point; the labelling of children as ‘offender’ or ‘deviant’ and the presumption that all are ‘a risk’. In this context, therefore Asset is a useful tool of social control, designed not primarily for effective safeguarding purposes but to legitimize institutional discrimination and to monitor and manage their perceived risk to others. (Almond, 2011, p. 142)

When the origins of the Asset framework and critiques of the risk factor prevention paradigm are considered, a conclusion is reached about the validity of a framework based so heavily in what appears to be a flawed (or at least misleading) risk prediction matrix. The fundamental concern around this approach, particularly in relation to prevention work, must be that children will be funnelled into a system which labels children to enable them to access support and interventions, but which feeds an institutional belief that children from certain types of family are the problem and ignores wider discussions about adolescence and desistance, with the risk of over-criminalising certain groups. Much of this comes down to the way that the framework is used, as Baker (2005) makes clear in her defence of Asset.

It appears that the theoretical, academic and practice-based debates of the past two decades have been accounted for in the development of the replacement for Asset, AssetPlus (Baker, 2014), though it remains to be seen how these impact upon the treatment of children in the youth justice system, and on outcomes for those children and crime statistics. The very existence of an assessment framework focused solely on the risk of offending may well prove to be the foundation stone of a youth justice system which will continue to fail to see the child first.

Returning to Goldson (2010), and reflecting on McAra and McVie’s important study (2007), consideration must be given to the merits of policy-making which truly reflects the available evidence, which in the view of many leading academics would suggest that for many children, crime is a passing phase, far more common

than official statistics would suggest, which benefits not from intervention, but from diversion. Though as McAra and McVie note,

‘Accepting that, in some cases, doing less is better than doing more requires both courage and vision on the part of policy makers...To the extent that systems appear to damage young people and inhibit their capacity to change, then they do not, and never will, deliver justice.’

Despite the theoretical debates surrounding the Asset framework, it is the framework mandated for assessing children in the youth justice system and enables practitioners to record key information about children’s lives in a fairly consistent manner. As is explained in Chapter 3, this is the reason it has been utilised by this study.

2.6 Policies to support children at risk of self-harm in prison – an analysis

In considering the content of policies aimed at protecting and supporting children at risk of self-harm in custody, this thesis focuses on those used in under-18 Young Offender Institutes (YOIs). Other secure establishments (Secure Training Centres and Secure Children’s Homes) have their own policies and practices to support children at risk but a decision was taken to exclude them from analysis: first, because the number of policies would make full consideration within the scope of the study impossible, and second, (most significantly) because the vast majority of children in custody in England and Wales are held in YOIs (Youth Justice Board and Ministry of Justice, 2016).

The political and policy context of this thesis is one where the government is seeking to significantly reform the youth justice system (Ministry of Justice, 2015), including youth custody provision and specifically YOIs, providing a significant opportunity for learning relevant to the largest sector of youth custody to be translated into change.

Humber et al (2010) provide a helpful description of the modern history of self-harm management in English and Welsh prisons, by way of introduction to one of the only academic reviews of the current policy used by NOMS in the management of prisoners (including children) at risk of self-harm or suicide. The current Assessment, Care in Custody and Teamwork (ACCT) policy has been in place since 2005, when it was rolled out to replace the previous policy, known as 'F20252SH.' The policy is formally promulgated to staff at all levels in NOMS via a 'Prison Service Order' (PSO) or a 'Prison Service Instruction' (PSI). The PSO 2700 – Suicide and Self-Harm Management (Her Majesty's Prison Service, 2007) – was replaced in 2012 with PSI 64/2011 – Management of prisoners at risk of harm to self, to others and from others (Ministry of Justice, 2012a). In addition to the requirements outlined in PSI 64/2011, those running YOIs for children are also bound by PSI 08/2012 – Care and Management of Young People – which explains that the regimes it describes '...differ from those in adult custodial settings because young people are, as adolescents, *different*.' (Ministry of Justice, 2012b, p. 4). PSI 08/2012 notes that a safeguarding children policy should be in place in each establishment holding children, and that it should reference the specific needs of young people in relation to a policy for identifying and caring for those at risk of harming themselves, which takes account of PSI 64/2011. The template statement provided in the PSI suggests that the policy statement should deliver this requirement as follows:

A local strategy has been published. It is based on 64/2011, which sets out how to identify prisoners at risk of suicide and self-harm, and provide for the subsequent care and support, and support staff who provide for their care. (Ministry of Justice, 2012a, p. 36).

PSI 64/2011 contains very few specific references to children in custody or to the particular needs they may have in relation to their risk of self-harm or suicide. In fact, a large number of the listed indicators are either applicable to the vast majority of children in custody; for example, young age, history of violence, low socioeconomic status, childhood adversity, impulsiveness, disconnection,

powerlessness, sadness, and recklessness. Conversely, some indicators are not applicable to children at all and therefore are unhelpful in supporting staff to identify risk; there are a range of references to spouses and partners which are likely to be far less applicable to children in custody,⁹ and to diagnoses of personality disorders and serious mental health conditions, many of which would not be diagnosed in those aged under 18.

Finally, the PSI records that prisoners are more likely to commit suicide or self-harm in the early stages of custody. This has arguably little relevance to the children's custodial sector given that the mean average period of time spent in custody by children on remand was fifty-two days and the average length of stay overall for children was 100 days (approximately three months) in 2014-15, (Youth Justice Board and Ministry of Justice, 2016). Directly comparable information is not available for adults, but in the twelve months ending September 2015, the average sentence length for all offenders (excluding life and indeterminate sentences) was 16.4 months.

Table 2.2 illustrates that contrary to the assertion in PSI 64/2011, children who kill themselves in custody do so after a significant period of time in custody, when compared to the average across the whole population of children in custody, and provides further evidence that findings for adults cannot be automatically transposed to children's establishments.

Children on remand at the time of their death had spent an average of forty-one days in the establishment where they died, whereas children who were serving custodial sentences had served around 79 per cent of the average sentence period (based on 2011-12 data) in custody (see Table 2.2). Data explaining when self-harm occurs among children in custody are not available but could be a key area

⁹ It is interesting to note that the majority of boys to die in custody had girlfriends at the time of their deaths. Many of the references to relationship status in PSI 64/2011 identify risk factors resulting from not being in a relationship, or a relationship having instability.

for future exploration if a true picture of those children at risk of self-harm and suicide is to be developed.

A comparison with the adult prison population can be illustrated through consideration of the remanded and sentenced prison population (which includes children in YOIs) in 2011. During this period, the mean average length of time a prisoner was held on remand was ten weeks (approximately 70 days) but the mean average length of stay, including remand periods, for all those held under a determinate sentence (therefore excluding the indeterminate and life-sentenced prisoners who would significantly increase the average) was nine and a half months (Ministry of Justice, 2013d) – somewhere approaching 290 days. This is significantly higher than the average for the youth population and would call into question the assertion that ‘...prisoners are more likely to...self-harm...during the early stages of custody.’ (Ministry of Justice, 2012a, p. 1).

Safer custody data (Ministry of Justice, 2013e) identifies that 37 per cent of all self-harm incidents in prisons take place after the individual has been in custody for a year or more, and that more than 65 per cent of self-harm incidents take place after the individual has been detained for three months or more. The fact that significantly fewer people will remain in custody beyond the 290 day average than will be in custody for (for example) a month would suggest that on balance, those who have spent longer periods in custody are actually at greater risk of self-harming. This is further illustrated in the data analysis in Table 2.2, which denotes that those children who died while serving a custodial sentence were serving an average period of 165 days in custody – more than double the average for the whole children’s population.

Clearly the statistically small numbers being examined make it difficult to claim the significance of this information, although further consideration is given to the timing of first self-harm incidents in chapter 6.

There have been few tests of the efficacy of the ACCT process for either adults or children, though Humber et al note that since ACCT was introduced:

The suicide rate in high security prisons has increased, as has the self-harm rate in high security, female and young offender institutions. Greater understanding is needed as to the reasons for why there are higher rates of self-harm/suicide in particular sub-groups of prisoners and in turn what can be further implemented for such vulnerable groups.... (Humber et al, 2010, p. 47).

Their study considered the pilot application of ACCT, which took place in five prisons, including a YOI which held, in separate locations, children and young adults. It is unclear whether the prisoners' records (500 for each establishment in the pilot) included those of children but in any case it would have been difficult for the methodology to capture accurately the characteristics of children in relation to their propensity to self-harm because of the three clinical interview types undertaken. Only one (the Beck Scale for Suicidal Ideation) has been found to be reliable for use with adolescents. Both the Brief Psychiatric Rating Scale (BPRS) and the Camberwell Assessment of Need, forensic short version (CANFOR-S) have been specifically developed for adults.

A specialist equivalent version of BPRS has been developed for use with children (Lachar et al, 2001), but it is not referenced in this study, and there is no reference in summary literature¹⁰ to the suitability of CANFOR-S for use with children. In any case, the report contains no references to the particular characteristics of children in custody, or any specific findings in relation to them as a group.

¹⁰ A search of journal articles and reviews of CANFOR-S was conducted for this thesis – all resulted in findings of reference to the Camberwell Assessment of Need being suitable for use with 'working age adults.'

Table 2.2 – Child deaths in custody – period in custody at current establishment at time of death

										(a) 41 ↓	(b) 51 ↓	(c) 52 ↓	(d) 77 ↓	(e) 109 ↓		
Days in current establishment (R indicates remand)	8 R	9	10 R	14	19 R	21	21	29 R	30 R	48	55 R	88	107	135 R	183	
Length of custodial sentence (days)		365		61		44	61			91		183	152		365	
Proportion of sentence served		2.5%		23%		48%	35%			53%		48%	70%		50%	

- a) Average days in current establishment at time of death (remanded children) (41 days)
- b) Average days in current establishment at time of death (51 days)
- c) Average remand period – all children (52 days)
- d) Average days in current establishment at time of death (sentenced children) (77 days)
- e) Average sentence period – all children (109 days)

Source: Youth Justice Board (2016)

2.7 Masculinity and gendered self-harm in youth custody

The decision to focus this study on boys is set out at the start of this chapter and further in chapter 3. Any study looking at boys in the criminal justice system will immediately recognise their enormous proportionate overrepresentation when compared to girls who come into contact with youth justice services. This overrepresentation is more often highlighted in discussions about girls' offending and whether the youth justice system provides a service appropriate to their needs. Earlier in the century, concerns about girls being increasingly brought into the criminal justice system (reported in Arnall and Eagle, 2009) resulted in a (much needed) focus on girls' offending and what could be done to stem its apparent rise (see, for example Chesney-Lind, 2001 and Jarman, 2005). In contrast, though there is much academic discussion and debate about what the causes of crime and gender differences, the imbalance which means that boys are proportionately more likely than girls to come into the justice system is rarely described in the same terms as (for example) the disproportionate representation of black boys in the justice system when compared with white boys. The reasons why the position is less scrutinised would require consideration within another study, but one of the key theories underpinning the latent acceptance of boys' overrepresentation in the justice system must centre on the notion of 'masculinity' and its links to offending. Proper examination of the impact of masculinity on the male propensity to offend (particularly in relation to violent crime) began in the 1980s, building on earlier, more biologically focused work on gender differences in offending by criminologists such as Cohen and Sutherland (Messerschmidt and Tomsen, 2015). What has emerged from the work of Messerschmidt and others is the concept of both a developing notion of masculinity and a recognition that research in this area needs to keep pace with cultural and societal changes:

Contemporary research on masculinities and crime draws on the experience of men as both offenders and victims and conveys that masculine crime is a varied struggle for power that includes violent and non-violent offending...there has been an emphasis on the relations

between different masculinities and very different forms of offending *and victimization*. (Messerschmidt and Tomsen, 2015, p. 5, emphasis added)

Once in custody, boys are less likely than girls to be involved in recorded incidents of self-harm – in 2014/15 the recorded data for boys showed that on average four per cent of boys in custody were involved in self-harm incidents each month, and that there were 1.68 incidents of self-harm for each boy involved. Eleven per cent of girls in custody, were involved in self-harm incidents, on average each month. Girls who were recorded as having self-harmed were, on average, involved in 3.71 incidents (Youth Justice Board and Ministry of Justice, 2016)¹¹.

In the general population, it is commonly believed that males are more likely to take their own lives but that females are more likely to self-harm. In recent years though, the latter assumption has been challenged, with researchers such as Hawton and Harriss (2008) identifying that ratios of self-harm between males and females varied across different age groups, with the some of the closest correlations in the age groups 15-19 and 20-24 (albeit that female were still more likely to self-harm than males in both groups). Though the rate of self-harm incidents per 100 children in custody has fluctuated over the past six years, the rate for boys has been steadily increasing. This is likely, at least in part, to be as a result of the higher concentration of boys displaying high levels of need and vulnerability to behaviours such as self-harm, but may also be a reflection of two other factors: the impoverished regimes and support for children, as recognised by HM Chief Inspector of Prisons and described in section 2.1, and/or a more general shift in the gender balance of self-harm, identified as emerging by Hawton and Harris in 2008. Whatever the case it is clear that further work is required to monitor and understand better the changing landscape of gendered self-harm

¹¹ Though the rate of girls self-harming in custody is consistently higher than that for boys, it should be noted that fluctuations often occur as the result of a very much smaller population of girls in custody. It is therefore not appropriate to attribute significance to detailed comparison on this point, rather to say that girls are proportionately more likely to self harm in custody.

amongst teenagers and how this relates to broader theories about masculinity and social harm.

2.8 Do we know enough and are we asking the right questions?

The available literature and data suggest that self-harm among children in custody is not broadly comparable with self-harm carried out by children in the community. It is likely to be significantly higher, but the existing data and research provide a limited opportunity to assess prevalence or a typology by which an understanding can be drawn. Equally, self-harm among children in custody is not broadly comparable with self-harm among adults in custody. Although there are some comparable datasets and some similarities between the environments experienced by child and adult prisoners, the fundamentally different ways in which the two groups interpret and manage their experiences, when placed alongside the very different requirements on custody providers, parents, local authorities and others to protect and safeguard children (which either do not apply or apply to a lesser extent to adults) present real difficulties to those wishing to develop an understanding of need on the basis of the current literature.

In undertaking the literature review for this study, searches were undertaken for research which considered the impact of applying social science research conducted with adults to children's services and policies. The search returned no credible sources of information on this topic. When further consideration is given to the efficacy of an approach which takes evidence from any distinct group of people and applies it to one operating in a different environment with a different set of internal and external drivers and influences, one begins to question how it could work.

Chapter 3: Methodology

3.1 Rationale

The literature review identified two key gaps in knowledge and understanding of issues surrounding children who are at risk of self-harm or suicide in the custodial context. First, although children in the youth justice system are subject to a unique combination of professional assessments and interventions¹² which are not mirrored in the adult justice system (Transition to Adulthood Alliance, 2009) and while studies such as that of the Prison Reform Trust (Jacobson et al, 2010) have sought to use the information obtained during Youth Offending Team (YOT) assessments to build a census of children in custody, this information has not been used to improve and develop an understanding of children's characteristics as they enter custody and how their known behaviours and needs in the community translate in the custodial environment. Second, the absence of reliable information about possible self-harm 'risk flags' as they specifically pertain to children could provide a vacuum in the practical understanding of both those who work in the community and in the secure estate for children.

The gaps in the knowledge base identified in the literature review are supported by the author's own experience of leading national strategic work to improve the safety and wellbeing of children in the youth justice system. This work has often been frustrated by the dominance of hindsight learning as described by Henricksen and Kaplan (2003) which necessarily seeks to identify systemic problems after an event has occurred when a child has been harmed in custody, in a context where emotional bias and case-specific scrutiny can skew findings and overshadow the need for a more proactive approach to learning which supports

¹² For a critique of this approach see, for example, Case, 2007

the work of practitioners on a day-to-day basis. This belief is supported by Hawton et al who have asserted:

For prevention of self-harm and suicide in prisoners, raising staff awareness and further training are important. One key issue is whether individuals at risk can be identified at reception and appropriate preventative measures initiated. (2014, p. 1152)

3.2 Key research questions

The primary question this research seeks to answer is:

What more can be understood about the characteristics and behaviour of children in the community to inform our understanding of how they respond when they are remanded or sentenced to spend time in custody; particularly in the context of self-harm?

Following from the literature review and the author's own experience of reviewing all (available) reports produced following the deaths of children in custody since 2002, a secondary question is also explored within the research:

What is the impact of the removal of access to what Goffman (1961) calls 'fantasy materials' on children's behaviour in the custodial context?

Although writing in a different era and context, Goffman identified the impact that the removal of access to activities and consumables can have on people when they enter custody, explaining that these materials are used as a distraction from troubling aspects of the user's life. When translated to a modern setting, this remains, in the author's view, a powerful theory, which is considered throughout the thesis.

The primary driver for considering Goffman's work from this perspective arises from the author's professional observations that children entering custody appear to do so frequently with a recent history of heavy cannabis and/or tobacco use. Children in prisons appear to have significantly reduced access to contraband when compared to the reports of easy access to drugs in adult prisons (see, for example, BBC, 2016). Little exploration appears to have been made of the impact the removal of access to cannabis, cigarettes and other banned or restricted items may have on children, during a time when they are likely to be operating with heightened levels of anxiety in unfamiliar surroundings. Furthermore, anecdotal observations of YOT assessments suggest that cannabis use and smoking amongst children in the justice system has been, to some extent, normalised by those working with the children.

YOT worker perspectives and the lack of knowledge about the physiological or psychological impact of removal of availability of such items at the point of entry to custody mean that it is possible that the relevance of cannabis/tobacco use in the community and its removal from children in custody is overlooked as a possible coping mechanism for which more recognisable self-harm provides a proxy in prison. This is explored in Chapter 4.

3.2.1 Goffman – is early childhood a ‘total institution’?

Also considered, but to a much lesser extent in relation to the theoretical framework established by Goffman's work, is the possible notion that early childhood is its self a form of what Goffman calls a ‘total institution’ and that behaviour during adolescence (including criminal behaviour) are individualised responses to the full or partial release from the total institution of childhood which occurs for different children at different ages and when they have greater or lesser capacity to adjust to the greater freedoms and responsibilities it brings.

Goffman describes a total institution as one where ‘...all aspects of life are conducted in the same place and under the same single authority.’ (1961, p. 17).

Total institutions have supervisory staff who look after those described by Goffman as 'inmates' and who are more connected and socially integrated into the world outside the 'total institution'. In Goffman's world, there are restrictions between the way the two groups communicate: 'Even talk across the boundaries may be conducted in a special tone of voice...' (Goffman, 1961, p. 19) and the information shared with the inmate about his or her own fate is controlled and restricted by the supervisory staff. In total institutions, systems of minor rewards exist, and the work of the inmates does not have significance to the wider social structure. There are undoubtedly a number of ways in which the model of a total institution developed by Goffman does not apply to the context of early childhood, but there are a several analogies to be drawn.

Parents and carers are (obviously) the supervisors, controlling routine, access to the outside world; providing information and a social framework within which children exist. Rewards and work (play, education) are provided parents and decisions about the child's life are made by those same adults. The parents exercise their positions in different ways – some well, some not so well (just as the supervisors in total institutions do).

It must be noted here that parents must provide care, supervision and control to their children's lives; the comparison is not a criticism of the arrangement. Rather, the picture is painted to demonstrate the framework from which children find themselves released at adolescence. Goffman talks of 'release binges' when inmates are released from a total institution. We are all familiar with the propensity of teenagers on a 'first night out' drinking too much. Sometimes such behaviour goes on for several years. Is this a release binge? Supporters of desistance theories might also support the theory that youth crime is a release binge too. There is a change of status for the released inmate, just as there is for the teenager with greater responsibilities than younger children and some teenagers will respond positively to this change of status; some will not.

Finally, the child who enters their teenage years and upon ‘release’ from the total institution begins to binge, may find themselves in custody. They are returned to a total institution more recognisable by Goffman’s description having barely left behind the total institution of childhood. The cycle begins again?

3.3 Practice implications

The methodological approach has been designed to meet the research objectives for a professional doctorate by seeking to learn about practice from the documents, resources and processes used by those working directly with children in the youth justice system and custody. Such an approach aims to ensure that learning from the research can be translated into practical guidance and grounded, evidence-based recommendations for policy-makers which will improve the quality of youth justice assessments, and the quality of care available for children in custody who self-harm.

Researching the topic of suicide and self-harm among an already vulnerable group of children is appropriately fraught with ethical barriers (the ethical considerations for this study are set out below). A pragmatic approach was therefore taken to constructing a study which would build an understanding of children’s risks, needs and characteristics alongside an insight into their custodial behaviour, without their direct involvement. It has always been the aim of this study that it would act as a baseline for further qualitative research in this area, to further test hypotheses arising and explore them with children and practitioners.

What has resulted from this methodological approach is a unique study providing insights not only into the characteristics of children who may be at risk of self-harming, but of boys in custody more generally.

3.4 Methods

The research was undertaken in two distinct phases, with the clear aim of developing a comprehensive dataset which would provide a quantitative, if not statistically significant, baseline for detailed qualitative analysis of a sample of narrative assessments relating to children who self-harmed in custody.

Stage one involved an original analysis of secondary sources. The literature review for this study was focused on studies and evidence furthering understanding of child and adolescent self-harm in custodial settings. The subsequent process involved identifying and analysing the existing evidence that pertains to the risk factors and characteristics recorded in the assessment document (see below for more information about Asset) completed for the majority of children who enter youth custody in England and Wales, and sought to find any links in research between specific characteristics and behaviours and self-harming or suicidal behaviour in children. This procedure considered literature and other forms of evidence relating to 83 separate fields of information within the Asset Core Profile. This enabled the development of a data collection tool focused on ten key areas for further exploration with supporting evidence identified to support the findings of stage two.

Stage two of the research project involved the production of a dataset harvested from three sources. The YJB's case management system 'eAsset' was interrogated to provide a sample group of children who during 2014-15 had completed a custodial episode in a YOI. Identifying information was provided alongside data about any risks relating to substance use, self-harm or suicide which were raised by YOT workers within the placement information form at the point the child was placed into custody. Placement information forms (PIFs) are completed shortly (no more than seven days according to guidance) before a child appears in court where there is a possibility that they will receive a custodial outcome. They provide specific information about risks to or from the child in the custodial context and are used by the Youth Justice Board to make placement

decisions (Youth Justice Board, 2014c)¹³. PIFs contain some questions about self-harm which are also contained within Asset Core Profile documents. For the purposes of identifying the sample groups in this study, information about previous self-harm was gathered from the PIF, but anomalies between responses in Asset documents and PIFs are explored further in chapter 5.

The information obtained from the PIFs was then shared with the National Offender Management Service (NOMS) who were able to match the personal information with incident reports relating to children in under-18 Young Offender Institutes (YOIs) who had self-harmed, attempted suicide or been involved in any other dangerous or violent behaviour during their time in custody.

Once the two datasets had been matched, it was possible to identify a sample group of 181 cases split into sub-groups according to the following criteria:

Group A - Children who were not known to have self-harmed either in the community or within custody. (n49)

Group B - Children who were not known to have self-harmed in the community who self-harmed in custody. (n44)

Group C - Children who were known to have self-harmed in the community but did not self-harm during their period in custody. (n46)

Group D - Children who were known to have self-harmed in the community and who also self-harmed during their period in custody. (n42)

The aim of structuring the sample in this way was to provide sufficient structure to the study to enable theories and themes to be tested against a fixed point. The size and composition of the sample was determined as follows:

¹³ In late 2016 or early 2017 PIFs will be withdrawn and replaced with the custody module within the new AssetPlus youth justice assessment framework (Youth Justice Board, 2014b)

- The original dataset recorded 1,015 boys who had completed whole custodial episodes between April 2014 and April 2015 in YOIs.
- Eighty-six (8.5 per cent) of the boys included in the dataset had self-harmed while in custody; they were all included in the research group: sample groups B and D
- Having fixed the sample of cases of boys who had self-harmed in custody, the sample groups of boys who had not self-harmed in custody were identified by identifying among the remaining cases, those who had a previous history of self-harm in the community and those who did not. Because each sample group needed to be the same size, a method was developed to identify 95¹⁴ cases from the 929 boys who had not self-harmed in custody.
- The total number of possible cases for groups A and C were respectively ordered according to the number of days each boy had been in custody during the period under consideration in the study. Cases for inclusion in the sample groups for the study were then chosen by matching (as closely as possible) the days-in-custody-profile of groups B and D, without isolating any other characteristics. This was considered to be the best way to create sample groups which would be equivalent in terms of custodial experience.

Access to eAsset enabled individual case records to be explored, with Asset Core Profile documents, Bail Assets¹⁵ and Placement Information Forms accessed in order to obtain information to populate the data collection tool.

¹⁴ A slightly higher number of cases was chosen for groups A and C to provide the most accurate reflection of the days-in-custody-profile of boys in sample groups B and D

¹⁵ The Bail Asset is a shorter form of assessment than the Asset Core Profile and is used primarily when a Core Profile is not available and when a child is appearing in court and there is the possibility of a Remand to Youth Detention Accommodation.

The data collection tool was developed in Microsoft Excel and (excluding personal identifiers) contained 106 coded or categorised fields of data and six free-text fields for each case, with four additional fields of information also recorded for each incident a child was involved in during their time in custody.

3.5 Sample selection and its limitations

It is acknowledged that the methodological approach for this study has some key limitations, which are explored below.

A note on age

As explored in the literature review, a number of the key studies (Liebling, 1992; Topp, 1976; Dooley, 1990) looking at self-harm in custody have conflated children and young adults into one group. It is possible that this research position arose in order to provide a convincing sample size on which to base findings and recommendations for practice. However, it is equally likely that such a focus was the result of the policy position at the time of the studies; for example, when Dooley's study was published in 1990, children and young adults would be routinely held in the same custodial establishments, there was no distinct custodial estate for children, and the wider youth justice system as it is known today (as introduced by the Crime and Disorder Act, 1998) had not yet been established. Additionally, at this time the United Nations Convention on the Rights of a Child (UNCRC, 1990), which formally defined a child as anyone aged under the age of 18, was still being introduced: until 1992 the youth justice system only dealt with children up to the age of 17 (this was amended by the Criminal Justice Act, 1991).

Despite the potential limitations in sample size, this study has not sought to include the cases of anyone aged over 18 or held outside youth custody. This reflects the Government's most recently articulated policy position in relation to the sentencing of children (Ministry of Justice, 2015). It is a decision also underpinned by the availability for children of a more detailed assessment

conducted by a practitioner in the community than is available for adults entering custody, and reflective of an opportunity for any findings or recommendations to be more easily adopted within the smaller youth justice system than would be possible in the adult criminal justice environment.

Gender

Only boys have been included in this research. There are two reasons for this decision, conferring that any findings from the study may have limited relevance to girls at risk of self-harm in custody. First, boys comprise the vast majority of children in custody. According to snapshot data (Youth Justice Board, 2015), the average number of girls in youth custody during 2014-15 was forty-three, compared with an average figure for boys of 1,005. Given these ratios, it is perhaps unsurprising that all the children who have died in youth custody since 2000 were boys. Whilst there is no doubt that girls in custody are at greater risk of self-harm than boys (Youth Justice Board, 2016) their needs, risk factors and the context of their arrival in custody would need separate consideration from that of boys and was considered to be too significant a requirement to address in this study. In addition, girls are, since 2014, no longer placed in YOIs which would have required a separate research methodology.

Sample size

The number of cases (181) within the research sample accounts for around one fifth of the population of boys in custody at any one time (Youth Justice Board, 2015). It includes the cases of every boy who completed a custodial episode which began and ended during 2014-15, and who also self-harmed during a period of time in custody. Despite this, the results of the data analysis arising from stage two of the research did not involve sufficiently large numbers where one would anticipate statistical significance to be demonstrated. To have included a quantity of data to generate statistically significant results would have been outside the scope of this type of study and would have brought with it a requirement to draw

upon data from a number of years. That would have impacted on the assessment of findings against the legal, commissioning and social framework of youth justice and children's services that would have existed at different points throughout any research period.

Also excluded from the research sample are children who are serving long-term sentences or periods on remand which extend beyond one year. In order to provide an analysis of assessments which could be directly linked to periods in custody and any incidents which occurred during those periods, only boys who had served full custodial episodes in YOIs within the 2014-15 financial year were included in the sample. This included some children serving long-term sentences who had moved from other parts of the youth secure estate during their sentence or remand period, but primarily comprised children serving periods of remand, recall, Detention and Training Orders and shorter Section 90 or 91 sentences. Although this approach had the potential to exclude boys with specific risks and needs from the research, the sample was reflective of over three-quarters¹⁶ of the youth custody population (Youth Justice Board, 2015) in that it focused on children who were held for relatively short periods in custody.

The average time spent in custody by boys in the research sample was ninety-three days, compared with an average stay in custody of 100 days for all children in youth custody during 2014-15 (Youth Justice Board and Ministry of Justice, 2016). The average period for children remanded within the sample was equal to the 2014-15 overall figures at fifty-two days and the average for children sentenced within the research sample was 110, compared with a figure of 109 days for all children sentenced to DTOs during 2014-15. The data demonstrate that while some boys' cases would have been excluded from the sample, the average time spent in custody is an accurate reflection of the experiences of most children in prison.

¹⁶ Children serving long-term sentences¹⁶ formed 23 per cent of the custody population in 2013-14 (Youth Justice Board and Ministry of Justice, 2016).

YOIs

At the beginning of the study, it had been the intention to analyse data and information relating to the cases of boys held across the three types of youth custody.¹⁷ During the process of data collection, however, it became clear that it would be extremely difficult (if not impossible) to undertake a comparable data matching exercise to identify children who had self-harmed in Secure Training Centres (STCs) and Secure Children's Homes (SCHs). This was partly because the data matching exercise conducted by NOMS was made possible as a result of a consistent unique referencing system which does not exist in the other sectors and because the recording of incident data varies across individual STCs and SCHs. There was an additional concern that aggregating data from different sectors would make it difficult to distinguish the impact of very different regimes. While this is recognised as a limitation in the study, not least because children in SCHs are the most likely to self-harm in custody (Youth Justice Board and Ministry of Justice, 2016), the research is still able to offer a unique insight into the characteristics and risk factors of the majority of children in custody in England and Wales, who will be held in YOIs.¹⁸

Personal testimony

There is doubtless benefit in the testimony of children (Cosaro, 2011) and more broadly in taking an ethnographic approach to research which seeks to support an understanding of what causes children to behave in certain ways and also to assess/decide how best to support them when they are in need. But such an approach, whilst valuable, is not without limitation or difficulty (Yates, 2004). In the context of a study about self-harm, direct participation of children would have been particularly difficult given the vulnerabilities involved and would have provided a significant ethical dilemma.

¹⁷ As set out in Chapter 2 these are Secure Children's Homes, Secure Training Centres and Young Offender Institutions.

¹⁸ Sixty-eight cent in 2013-14. (Youth Justice Board and Ministry of Justice, 2015)

Putting aside the ethical considerations associated with such an approach, the methodology employed sought as far as possible to replicate the circumstances and information available to practitioners at the point when a child enters custody, and to assess and analyse this information with a view to identifying how it could be used more powerfully to understand children's needs.

3.6 Ethical considerations

Because the study did not seek to engage directly with participants, ethical considerations were primarily linked to data protection and confidentiality issues.

Ethical approval was provided for the research methods by the University of Bedfordshire's Institute of Applied Social Research's ethics committee. Further permissions for access to data and use in the study were also sought from the NOMS National Research Committee (NRC) and from the YJB's Information Communications Technology (ICT) Programme Group.

Obtaining consent to access eAsset for the purposes of the research was difficult, because though held on a YJB-owned case management system, it had been produced by YOTs. Through discussion with information assurance and data protection specialists, the YJB was able to identify that it held data-ownership rights in relation to Asset documents used by its placement team. The YJB's director of operations (as owner of the case management system) provided the relevant permissions, which were ratified by the ICT Programme Group.

This approach enabled data to be accessed without recourse to individual children or YOTs. Approaching children would have been logistically challenging: it would have needed to be facilitated by YOTs who may or may not have co-operated which would have had implications for both the sample size and geographical spread of the cases included). A system for obtaining permission

from YOTs was designed as a contingency but would also have been complex and had the potential to skew the research sample.

Any information collected within the study containing personal identifiers was held exclusively on a secure government laptop and all analysis was conducted within the government secure IT system to ensure complete data security. Unique identifiers were created to ensure that children whose cases were included in the study could not be identified. The data will be safely deleted one year after the study is completed to maintain confidentiality.

3.7 What is ‘Asset’?

This study was completed using information drawn from the Asset assessments completed by youth offending team practitioners in respect of the vast majority (178) of the 181 children who entered custody and completed a custodial episode during the period 1 April 2014 to 30 April 2015.

Asset is a structured assessment tool to be used by Youth Offending Teams (YOTs) in England and Wales on all young offenders who come into contact with the criminal justice system. It aims to look at the young person’s offence or offences and identify a multitude of factors or circumstances – ranging from a lack of educational attainment to mental health problems – which may have contributed to such behaviour. The information gathered from Asset can be used to inform court reports so that appropriate intervention programmes can be drawn up. It will also highlight any particular needs or difficulties the young person has, so that these may also be addressed. (Youth Justice Board, 2000, p. 1)

Asset was introduced to youth justice services in England and Wales during 2000, with the intention of providing a standardised assessment tool for use within the new youth justice landscape created by the Crime and Disorder Act 1998 (Baker, 2005, p. 107). National Standards for Youth Justice (Youth Justice Board, 2013)

refer to the requirement for a ‘YJB approved assessment tool’ to be used in respect of any child entering the youth justice system. Since 2000, and until the roll-out of AssetPlus (the YJB’s new approved assessment tool) in late 2015 (Youth Justice Board, 2014b), the ‘approved assessment tool’ has been Asset. A summary of the theoretical basis and key critiques of Asset is provided in chapter 2.

For children entering custody, the YJB acts as the placing authority¹⁹ and requires that an Asset assessment is provided along with a Placement Information Form and Post Court Report, which all inform decisions about where to locate the child within the youth secure estate.²⁰

Limitations and rationale

The criticisms levelled at the theoretical framework underpinning Asset (as described in chapter 2) and the potential variations in assessments which will inevitably result from a framework which asks assessors to make value judgments (as explored later in this chapter and further in chapter 4) which will place limitations on comparisons on qualitative or subjective information. The deficits of Asset are to some extent, inevitably reflected in this study, particularly in terms of language, and a sometimes undesirable focus on harm and ‘risk’, though efforts have been made to mitigate these issues where appropriate and to explain the context and limitations where they apply. The following paragraph sets out why, despite its limitations, Asset was considered the appropriate document upon which to base the study.

The Asset primarily exists to identify areas of criminogenic risk in a child’s life or behaviour which may contribute to them offending or reoffending. However,

¹⁹ Concurrent with the Secretary of State for Justice, and as set out in section 41 of the Crime and Disorder Act 1998, sections 102-103 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012, paragraph 14 of Schedule 1 to the Policing and Crime Act 2009 and the Youth Justice Board for England and Wales Order 2000 (Amended 2008).

²⁰ See chapter 2 for a description of the different types of secure accommodation available for children in England and Wales.

since the removal in 2011²¹ of a systemic approach to the common assessment framework (CAF) for children referred to local authority children's services in England (Holmes et al, 2012) there has arguably been no other comprehensive assessment of needs and risks to children in the youth justice system, who are widely acknowledged as being some of the most vulnerable in society (set out in compelling detail by Jacobson et al, 2010). The Asset is also the first source of information about risks and needs used by custodial staff receiving children into custody; its availability and contents directly inform children's treatment upon arrival into custody (Youth Justice Board, 2013). It is for this reason that information contained within Asset documents submitted to the YJB at the point boys were entering custody was used in this study.

3.8 How Asset was used in the study

Asset Core Profiles are divided into twelve major sections, each concerned with a different area of potential risk. Each section is given a score to quantify the link between the area of the child's life or behaviour under consideration and their risk of further offending. Core profiles existed for 151 of the 181 boys in the research sample. Of the thirty-one cases where an Asset Core Profile was not available, twenty-seven had Bail Assets – a much shorter form of assessment which focuses on a child's suitability for being granted bail by a court, and which is accepted instead of a Core Profile where children are being remanded to custody and have not had previous contact with a YOT. Three of the cases in the research sample had no assessments provided at all, contrary to Youth Justice Board guidance. Where this was the case, basic information was taken from the documents that were available at the point of placement. It was deemed relevant to include the cases in the study as a reflection of the real-world practice environment within which practitioners operate.

²¹ This followed early recommendations arising from the Munro review of child protection (Munro, 2011).

This study has analysed the data collected from the Asset Core Profiles, Bail Assets, Placement Information Forms (in the case of the three cases where no assessment was available) and NOMS data about the incidents the boys in the research sample were involved in during their time in custody. Ten categories for data collection and analysis were then identified, which aimed to capture the data identified as relevant through the literature review. The aim of this approach was to build an understanding of any emerging themes and findings in such a way that it could easily be translated back into practice.

The ten areas identified in stage one of the study, which were used to develop the data collection tool described above, are as follows:

1. Personal details
2. Offending
3. Family, care and living arrangements
4. Education
5. Substance use
6. Health
7. Attitudes, thinking and behaviour
8. Vulnerability and risk of harm
9. Custody
10. Incidents

A full list of the Asset data collection fields is provided in Appendix A.

In addition to the coded, categorised and free-text information held within the data collection tool, a Microsoft Word file was maintained with more detailed narrative information taken from the Core Profile documents. Narrative elements of the Assets were copied and pasted into the Word document against a unique (but anonymous) identifier for each case in the sample and recorded alongside any observations made by the author during the data capture process.

IBM SPSS was used to conduct frequency analysis against the coded data fields to enable comparison, cross-tabulation and correlation analysis among different groups and different combinations of the data fields collected.

A note on the use of qualitative data

It is perhaps unsurprising that Munro's study looking at errors of reasoning in child protection work (1999) found that risk assessments were often based on the data most memorable to professionals, rather than the most relevant.

The ability and empowerment of YOT workers to make such judgements is key to the success of assessments leading to effective support and intervention, and as such, much of the study has implicitly explored the perceptions and attitudes of the assessors as much as it has those of the boys in the research sample.

Ultimately, it will conclude that some of the judgements made are as entrenched in the values and personal perspectives of the assessors as they are reflective of the boys' own perceptions and attitudes, but that this does not necessarily limit their value in the group analysis model adopted by this study.

Writing before Munro on the topic of the role of the assessor, Klein and Bloom (1995) argue – not necessarily in contrast to Munro's position as outlined above - that the values and wisdom of professionals can be capitalised to improve assessments and judgements. This inevitably needs to be the case for as long as humans (rather than objective machines) carry out assessments of risk. Therefore, this researcher has concluded that while, to some extent, unavoidable bias is present in assessments, which will be informed by the values of the assessor as to what they consider 'normal,' 'average' and positive, the value of those judgements is not diminished, particularly if the worker carrying out the assessment has a relationship with the subject which will enable continual reflection and review of the assessments made.

Further research in this area would be required to truly know whether the results of the analysis in this study really suggest that when looked at within the groupings identified for the study, the subjective judgements appear to take place within parameters that enable the assessments to provide reliable trend information about the attitudes and behaviours of the boys being assessed. However, it is appropriate to consider again Klein and Bloom's perspective:

We propose that practice wisdom be defined as a system of personal and value-driven knowledge emerging out of the transactions between the phenomenological experience of the client situation and the use of scientific information. Central to this system of knowledge is a set of principles that incorporates values of the worker and the profession and serves as rules to translate empirical knowledge, prior experiences, and other forms of knowledge into present professional actions. (1995, p. 801)

Chapter 4: Findings - Circumstances in the community

This study concludes that there are important issues of control and agency at play when children harm themselves (and when they harm others). The behaviour of many boys in this study appeared to be born out of a frustration with their environment or treatment which they were not equipped to address in a socially normative manner. The predominant sociological perspective on this point is clear, particularly in relation to the dynamics of language and power (see Bordieu, 1991), which were likely to limit the boys' agency within the custodial environment. Goffman's theories (as described in chapter 2) also apply here. However, for the experience of the boys in the study, it was important to understand what the framework of their existence looked like in reality – what were the aspects of their lives that could not be changed by anyone or which the boys themselves were least likely to be able to influence? Such fixed characteristics span birth months, age, ethnicity and (to a more arguable extent) the location of home. This chapter then goes on to consider the environments that were likely to have shaped the boys and their behaviour and to examine how this might have been the case in relation to their custodial experience.

4.1 What cannot be changed: 'personal details'

In this section of analysis, four key factors associated with the child's personal details were considered, having been identified through the secondary literature analysis during stage one of the project as potentially relevant. These were:

1. Month of birth
2. Age at the point of entry to custody
3. County of home address
4. Ethnicity

4.1.1 Month of birth

A comprehensive study (Salib and Cortina-Borja, 2006), using twenty-two years' of suicide data for people aged 16 and over in England and Wales, found a disproportionate increase in suicide rates for people born in April, May and June when compared with the autumn and early winter months. The increased likelihood of suicides among those born in April, May and June was more pronounced for women than for men, but for men there still existed a risk increase of 13.7 per cent. The hypothesis that birth month could have an impact on levels of risk and vulnerability is further supported by a study of Northern Irish school children, which found that children born in May and June 'appeared to be substantially overrepresented in referrals to a psychology service.' (Menet et al, 2000). Although the causal factors in the 2006 study were thought to be biological during gestation, or environmental in relation to weather variations impacting on early life illness or disorder, the inference from the earlier study was that the increased incidence of referrals to psychology services for children born in May and June resulted from those months falling at the end of the Northern Irish school year, meaning that children born in those months were the youngest in their class.

Table 4.1 – Comparative frequency (per cent) of birth month the research group (n181) and general population

	ONS England and Wales data - births 1996-1998	Any history of self-harm (groups B, C and D) (n132)	Self-harm in custody groups B and D) (n86)	No self-harm in custody (Groups A and C) (n95)
January	8.4	5.9	3.5	7.5
February	7.7	8.4	8.1	8.5
March	8.4	6.9	5.8	8.9
April	8.1	5.3	4.7	7
May	8.4	12.7	10.5	7.8
June	8.3	11.5	12.8	7.8
July	8.8	3.8	3.5	7.3
August	8.6	9.9	11.6	8.7
September	8.6	5.4	7	9.3
October	8.4	12.9	16.3	7.9
November	8	7.5	8.1	8.9
December	8.2	9.8	8.1	10.4

Although there is some evidence in the research group data to suggest that the birth month distribution in the group of boys who self-harmed either in or outside custody was not reflective of the corresponding national data, and the small numbers involved and significant fluctuations would tend to suggest that firm conclusions cannot be drawn. It is perhaps notable in respect of June and July that while the data relating to sample groups A and C broadly reflects the national birth rates, boys who self-harmed in custody (sample groups B and D) were disproportionately distributed within those two months. However, this finding viewed in conjunction with a similar occurrence in relation to October's data, which shows the same pattern, points towards a more random distribution of birth dates likely arising from the relatively small sample size. In practical terms there is also likely to be little merit in an understanding of any correlation between birth month and propensity to self-harm or attempt suicide, since the first factor (birth month) cannot be amended and the second (self-harm) could be reduced only through increased vigilance of those considered to be at risk, who, as analysis later in this chapter will demonstrate, can be better identified through other means.

4.1.2 Age

Under-eighteen Young Offender Institutions (YOIs) hold boys aged between 15 and 18.²² The majority of children in custody across all sectors are aged 17 and are disproportionately more likely to be held in YOIs as opposed to other parts of the youth secure estate (Youth Justice Board, 2015). It is therefore to be expected that children of this age would form the bulk of the research sample for this study.

²² Eighteen year-olds are held in under-18 YOIs where they began a period of remand or sentence as a child, in certain circumstances. One eighteen year-old was included in the research sample for this study.

Table 4.2 – Percentage of boys in the research sample groups and all boys in YOIs aged 15, 16 or 17

		Group A	Group B	Group C	Group D
	Adjusted YJB averages for 2014/15 (removing 18 year-olds)	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
15	5.5	18.4	2.2	11.4	
16	26.4	26.5	20.0	11.4	21.4
17	68.2	55.1	77.8	77.3	78.6

On average during 2014-15 there were 116 18-year-olds held in under-18 YOIs. This, however, was not reflected in the full dataset of 1,015 cases provided to the researcher by the YJB from which the research sample was drawn this is because YJB does not make initial placement decisions for those aged over-18,²³ who would normally be placed in an adult prison. Therefore the two cases in the dataset of 18-year-olds who had reached legal adulthood by the time they were placed into custody are anomalous. On this basis, the YJB data (Youth Justice Board, 2015a) in Table 4.2 has been adjusted to remove 18-year-olds, thereby ensuring that the YJB data provide a representative comparison point.

In 2014-15, 17-year-olds comprised 68.2 per cent of the 15-17 population in under-18 YOIs. Within the full dataset (n1,015) provided by the YJB from which the research sample group of 181 cases was drawn, 62.2 per cent of children were aged 17. There appears to be a difference, however, when reviewing the research sample data, particularly when the group of children with no history of self-harm either in the community or in custody are compared with the three groups of children with known histories of self-harm in either setting; 55.1 per cent of children in the non-self-harming group were aged 17, compared with 77.3 per cent across the three groups where self-harm was a known concern. The proportion of

²³ Author's own analysis of unpublished YJB data.

17-year-olds was highest (78.6 per cent) in the group of children who had not been known to self-harm in the community but who had self-harmed in custody. To understand why 17-year-olds might be disproportionately represented in the self-harming groups within this study, a reflection on broader self-harm data and evidence was required. As discussed within the literature review at chapter 2, data reporting on cause of death determinations are unreliable, particularly for children, so would not make a useful comparison in this case. Hawton et al (2012) considered self-harm rates among 10 to 18-year-olds in three English cities between 2000 and 2007. Male self-harm rates rose with age but were broadly level across the 16 to 18 age range. It would not appear that the disproportionate representation of 17-year-olds seen within the self-harming groups in the sample data therefore reflects a wider trend in relation to propensity to self-harm in the general population, and nor was it reflected in Liebling's study (1991, p. 162).

4.1.3 The potential for transition anxiety

When you reach 18-20 the government don't care no more – there is no more help anymore.... they're labeling you as a waste man and cutting you off. (Transition to Adulthood and the Howard League for Penal Reform, 2015)

For further insight into what could explain the number of 17-year-olds within the self-harming groups, comparison exercises were taken looking at periods in custody, correlations with birth month, legal status and length of time in custody at the point of the first (if there was more than one) self-harming incident. Much of this analysis failed to show any correlation, but one finding was striking: Of the group of five children who self-harmed during their birth month, four were considered. Four of the children in this group were aged 17 and self-harmed for the first time during this episode in custody during the month of their 18th birthday. This finding is of particular interest since it raises questions over anxieties about the transition both to adulthood, but also, potentially, to adult custody – both concerns for children in the youth justice system (Howard League

for Penal Reform, 2015). These cases were also compelling because of the other characteristics they revealed for the boys involved. First, the period in custody for each boy in the sample was substantially longer than for any other group examined within the study – the average total period any boy in the sample spent in custody was ninety-two days.²⁴ The five boys who self-harmed during the month of their birthday served an average of 161 days in custody. For the four who self-harmed during the month of their 18th birthday, the figure was 140 days – still considerably higher than that for the average for the research sample and also, and perhaps more compellingly, higher than the 109 days served on average by sentenced boys, which these four all were.

A further compelling factor in the cases of each of the four boys who self-harmed during the month of their 18th birthday was the period of time they had spent in custody²⁵ before self-harming. Boys in the research sample who self-harmed in custody did so, on (mean) average 16.6 days after arriving in custody, which represented their having served 21.8 per cent of whatever remand²⁶ or sentence period they would remain in custody for. The boys who self-harmed during the month of their 18th birthday, who notably only self-harmed on that occasion, did so after serving no less than 53 per cent of their sentence and on average were 65 per cent through their period in custody.

When these boys' cases were examined in a little more detail, the following characteristics were identified as shared by each of the boys:

- None of the boys had perceived themselves to have a criminal identity prior to entering custody.

²⁴ Further data relating to time spent in custody are explored in chapter 5.

²⁵ Chapter 5 explores the relationships between self-harming incidents and time in custody fully, and elaborates on what the data tell us about the behaviour of children when compared to current evidence for adults.

²⁶ It is important to remember that children who were remanded would not have a clear idea of when they were likely to be released. Consideration of the proximity of self-harm incidents to court hearings for both remanded and sentenced children would be a valuable area for future research.

- Each boy was recorded as having poor control of his temper, and had shown aggression towards others in the past.
- None of the boys were noted as having literacy, numeracy or communication problems.

The correlation between the boys self-harming within such close proximity to their 18th birthday and so far into their time in custody could be accounted for through coincidence or explained as resulting from a specific and unrelated trigger. However, there may also be validity to the hypothesis that these boys were concerned either about a possible transition to adult custody or the prospect of returning to the community as adults in the eyes of the law, or that their anxiety levels were raised as a result of concerns about either issue.

The incident logs provide little insight, although they do reveal that all four of the boys were involved in other incidents during their time in custody. This was not uncommon within the research sample, although 38 per cent of boys who self-harmed in custody were not known to be involved in any other incidents during the period in question.

One boy, Karl, was involved in 13 other incidents during his 211 days in custody for a violent robbery which resulted in him obtaining £2, and the assault of a member of staff at his care home. The other incidents he was involved in included fights, assaults and incidents at height,²⁷ but he only self-harmed once. Unlike the records for the other boys in this sample group, the incident log noted that Karl had been asked to explain why he had self-harmed. His reasons were noted as being because he wanted to move to the prison's Care and Separation Unit²⁸ due

²⁷ An incident at height normally involves an inmate climbing on to railings, a roof or other high place, which is out of bounds, often to make a protest of some sort. This type of incident is explored further in chapter 6.

²⁸ The National Preventative Mechanism's annual report sets out significant concern about the use of Care and Separation Units for all types of prisoner, including children. It defines segregation as follows: *'Across the UK, prisoners can be isolated in special units or cells ('segregation', 'care and separation' or 'separation and reintegration' units). In England and Wales, this can be for the*

to problems on his wing, and because he was upset about the upcoming anniversary of his mum's suicide.

The Asset Core Profile completed for Karl had recorded that he had suffered a bereavement, and set out that he had informed the YOT worker completing the assessment that his mum had taken her own life in June 2013. Karl self-harmed in custody during December 2014.

A generous interpretation of this apparent anomaly is that greater consideration should be given to the impact of bereavement and loss, regardless of when the anniversary falls. A less charitable analysis would perhaps find that accurately recording anniversaries of important dates in children's lives needs to be a priority within YOT assessments, given the available literature that links self-harming and suicidal behaviour with such dates (Hawton et al, 2006; McDougall et al, 2010). A final possibility is that Karl misled either the prison staff he spoke to after the incident, or his YOT worker when he told them about his mum's death.

Whatever the reality, the discrete analysis of data relating to this overrepresented group of self-harming 17-year-old boys suggests that they may be more prone to concerns about the future than their younger counterparts and that this may be a factor in their behaviour in custody. This may not have arisen as a finding in earlier studies because (for example) at the time of Liebling's work in the early 1990s looking at young offenders, a separate custodial estate for children did not exist as it does now and the issue of transition did not arise in the same manner.

4.1.4 Ethnicity

The overrepresentation of Black, Asian or Other Minority Ethnic (BAME) groups

maintenance of 'good order or discipline' or in prisoners' 'own interests' (Prison Rule 45(1)). Prisoners can also be placed in these units under 'cellular confinement' as a punishment (Prison Rule 55 (1) (e)) or pending adjudication (Prison Rule 53(4)). 'Special cells' are used for isolating prisoners who are 'refractory or violent' and should be used only for short periods.' (National Preventative Mechanism, 2015, p.25)

in the youth justice system, and more profoundly in youth custody, is well documented (for example, Youth Justice Board and Ministry of Justice, 2015). In 2013-14, children who were BAME accounted for 16 per cent of first-time entrants to the youth justice system; a figure which increased to 40 per cent, by the time children reached custody. Comparison of these two figures is staggering in presenting the reality of outcomes for children from BAME backgrounds in the youth justice system. Considered in isolation they also present an interesting question in relation to this research about how the disproportionality trend would (if at all) be reflected within the study sample groups. Would self-harming behaviour follow prevalence patterns for the community or would the group sizes be representative of the wider custody data when it was broken down into ethnic groups?

Studies in community settings (for example, Goddard et al, 1998 and Meltzer et al, 2001) have found that children from BAME backgrounds appear broadly as likely to self-harm as their white peers, though studies in this area have not always provided consistent findings (Liebling, 1991). Liebling further concluded that there were 'no significant ethnic differences between the two groups' (1991, p. 162) she was studying in custody, one formed of young people²⁹ with a history of self-harm in custody and one made up of those who had not self-harmed.

²⁹ Aged 16-21.

Table 4.3 – Ethnicity of boys (as a percentage) in the sample groups compared to all children in custody and the general population

Ethnicity*	National data		Research sample groups			
	2011 England and Wales Census estimate (15-17 year-olds)	YJB 2013/14 custody data	Group A	Group B	Group C	Group D
			No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
Asian	6.9	7.1	10.2	6.8	0	2.4
Black	3	22.4	16.3	4.5	4.3	4.8
Mixed	1.98	9.3	18.4	6.8	4.3	0
Other	0.9	1.1	2	0	0	0
White	87.17	60.0	44.9	81.8	91.3	92.9
Not known / missing	0	0.1	8.1	0	0	0

* Ethnicity was collected against the '15+1' classification groups and then aggregated.

Comparison of ethnicity data for the four sample groups against both national census population estimates and the YJB's custody data was revealing. While white boys seemed more likely than those from BAME backgrounds to self-harm in custody when the research data were compared with the overall custodial population, the aggregated data for the two groups of boys who self-harmed in custody demonstrated that white boys were represented in these groups in almost identical proportions to those in which white people comprise the general population. People from white ethnic backgrounds make up 87.2 per cent of the general population of England and Wales; boys from white ethnic backgrounds made up 87.2 per cent of those who self-harmed in custody, despite on average forming only 60 per cent of the under-18 custody population in 2013-14. The number of boys in each of the sample groups is too small to enable analysis of ethnicity beyond 'white' and 'non-white' groups, though the data suggest that boys from BAME backgrounds are less likely than white boys to self-harm in custody. Cross-tabulation was undertaken in the hope of identifying any correlating characteristics which could explain the relative prevalence of white boys within the self-harm samples. Asian boys in the sample were less likely to have at any time been subject to voluntary care arrangements. However, the proportion of all other ethnic groups who had previously been or were currently subject to Section 20 orders was broadly equal. Black boys were significantly

overrepresented in the group of boys who had committed violent offences, with thirteen (93 per cent) of the fourteen boys in the sample charged with or convicted of a violent offence compared with 55 per cent across the whole research group. White boys were more likely than those from other ethnic groups to have been assessed as being involved in 'risky drug use'; not one of the boys from BAME backgrounds had been recorded as having this characteristic. Furthermore, white boys in the research group were more likely to live alone or in residential care (38.7 per cent) than boys from BAME backgrounds (26.3 per cent). They also appeared to be twice as likely to have been identified as having special educational needs (SEN), and more prone to have recently or ever used class A drugs (42.1 per cent compared with 17.6 per cent of the boys from BAME backgrounds).

Herein lies a fundamental difficulty for practitioners who are seeking to identify who may or may not be at risk of self-harm in custody, because for every rule, there is an exception and although boys from BAME backgrounds seem less likely to be assessed as having some of the key risk factors (see Hawton et al, 2002) known to be present in those who self-harm, there are two major questions which will need to be considered by those undertaking assessments and seeking to identify those at risk:

1. Is the construction of the Asset assessment, and the approach of the assessor culturally aware?
2. How do practitioners get around the fact that though some groups of children may be more or less likely to display certain risk factors or characteristics, there are no blanket rules to apply?

This quandary is illustrated by Ahmed's case. Ahmed was Asian. He was 12 when he received his first conviction and was noted as having twenty-three previous convictions when at 17 and a half he was sentenced to a twelve month DTO for driving offences, which was extended with a consecutive period of remand for the

robbery of £10 and a dog, which meant he moved to adult custody three days after his 18th birthday.

One of Ahmed's older half sisters has been involved in criminal activity, including use of drugs. There is police intelligence that Aunt may be involved in substance misuse. Ahmed previously suffered severe neglect by his parents and was placed on a full care order with his grandparents causing there to be a significant loss in his life for many years. He has only recently returned to live with his mother in June 2011 but this only lasted for a short time, then Ahmed returned to live with his grandmother. Ahmed's father died on 8th September 2012. Although there is some pro-social modelling by some of his family members, there is also a lot of negative influence and examples of offending or substance misuse which Ahmed is leaning toward. In addition to this, the stress that he has suffered as a result of being separated from his parents will contribute to his risk of future offending as in the past he has tended to associate with older, criminal peers as a means of feeling like he belongs.

Ahmed does not express having any concerns regarding feelings linked to his past, present or future. His attitude is very naive in regards to this and he does not admit or recognise that any of his experiences contribute to his offending behaviour or emotional needs.

Ahmed had been diagnosed with Attention Deficit Hyperactivity Disorder (ADHD), which was recorded in the Asset as a mental health condition. He was also known to have recently used cannabis and tobacco and in the past to have used other class A drugs. He was not identified by his YOT worker as having a history of self-harm or being at risk of such behaviour if he were to enter custody. He was known to have bullied other children in the community and was involved in three assaults during his 171 days in under-18 custody. He also undertook protests at height and set a fire in his room, which was recorded as self-harming behaviour. Assessors had not identified any risk of self-harm in the majority of mostly white boys of which sample group B was comprised. Further research

would be required to understand whether assessments of risk are informed by the cultural bias or preconceptions of assessors, and whether this makes the assessments less reliable in their predictions, but Ahmed's case did demonstrate the relative redundancy of proportionate data compared to consideration of individual factors when assessing risk.

4.1.5 It matters where you're from

Home county was of interest in this study because among the relatively small, but meaningful number of boys to take their own lives in youth custody since 2000, the vast majority (80 per cent) normally lived (when not in custody) in the midlands, the north of England and Wales.³⁰ The remaining 20 per cent were from London or the south-east (Youth Justice Board, 2012). In 2013-14 children from the midlands, the north of England and Wales accounted for 53 per cent of those in youth custody, on average (Youth Justice Board and Ministry of Justice, 2015). The hypothesis that children from the midlands, the north of England and Wales are more likely to self-harm or take their own lives is supported by national suicide data, which in 2013 found that males (of all ages) in these areas were more likely to die as a result of suicide than those in London, the east of England, the south-east or the south-west (Office for National Statistics, 2013). Similarly, Hawton et al (2012) found that rates of suicide among boys aged 15-18 in south Manchester were significantly higher than in two other research sites further south in England.³¹ Interestingly, within the group of self-harming boys in Manchester, there was a dramatic peak in self-harm rates in the 17 and 18 year-olds when compared to 15 and 16 year-olds; this finding showed a broad correlation with the age data explored in Table 4.2.

Of the 181 boys in the research group, twenty-one (11.6 per cent) were recorded as living in residential care homes before they had entered custody. Where this was the case, efforts were made to identify where the child normally lived. The

³⁰ Author's analysis of unpublished YJB data.

³¹ Derby and Oxford

concept of ‘normal’ living arrangements, however, should be considered within a context where 121 (66.8 per cent) of the boys had experienced a change in living arrangements within the six months prior to going into custody, suggesting a rapid rate of change and upheaval for most of the group. This is relevant here because it exemplifies the difficulties experienced in identifying a usual place of residence for the young people in the survey.

Table 4.4 – Percentage of boys in each sample group distributed by region of normal residence and compared with national youth custody data

	National data	Research sample groups			
		Group A	Group B	Group C	Group D
	YJB Average in custody 2013/14	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
London	31	26.5	6.8	10.9	9.5
East and West Midlands	18	10.2	27.3	8.7	21.4
North-East and Yorkshire	16	16.3	9.1	21.7	19.0
North-West	14	26.5	18.2	28.3	28.6
South-East and East	12	18.4	9.1	21.7	9.5
South-West	4	2.0	18.2	4.3	2.4
Wales	4	0.0	11.4	4.3	9.5

Although the proportion of children from London in research sample group A who had no history of self-harming in the community or custody broadly reflected the national average data, boys from London were substantially underrepresented within all three of the self-harm groups (sample groups B, C and D), and particularly the two groups of boys who self-harmed in custody sample groups B and D). Conversely, boys from the midlands were underrepresented in the samples of children who did not self-harm in custody (sample groups A and C), but overrepresented among the two groups of boys who did self-harm while in

custody (sample groups B and D). Some of the other regional groups showed similar, less pronounced trends in support of the hypothesis that self harm would be higher among those from particular areas of England in Wales though peaks in the data (for example see the South-West, above) were not consistent with that premise. What was most striking was that there was not a single child in the whole research sample from Wales who did not have a history of self-harm either in the community, in custody or both. There were eleven children from Wales in the sample, making their number not inconsiderable and in fact higher than the average proportion of Welsh children in custody according to YJB data (Youth Justice Board and Ministry of Justice, 2015).

It is possible that higher rates of self-harm among boys from the midlands, the north of England and Wales could result from differences in regime, care and environment, or in fact the procedures or culture for recording self-harming at the six YOIs used to accommodate boys in England and Wales during 2014-15.³² Boys in the research sample were, for the most part, held in establishments in the same region as their normal home address; broadly speaking, boys from the south tended to be accommodated in the south, boys from the midlands tended to be accommodated in HMYOI Werrington and boys from the north tended to be accommodated in the two northern establishments. HMYOI Parc is in south Wales and the majority of boys in the sample from Wales and all of those from the south-west of England were held there. It was difficult to conclude, therefore, that differing custodial environments or recording cultures had a significant impact on self-harming data when it was correlated with region of normal residence.

Archie was from Wales but was held in HMYOI Hindley while remanded on charges for a sexual offence. Although only a small number of boys in the research sample were charged with or convicted of such serious offences, much of the information provided about Archie in the assessment was common to the boys

³² HMYOI Hindley was decommissioned by the YJB in December 2014.

in the self-harm samples.

Although Archie was well liked by teachers, he is difficult to engage at times and does display disruptive behaviour especially when he has not taken his ADHD medication that day. He will also play truant on a regular basis and go missing. Archie engaged well during previous DTO sentences; he struggled after release however to engage with efforts to place him in an [education, training or employment] provision.

There are concerns that Archie has a history of taking illicit drugs, namely cannabis. Archie's mum has advised that Archie has stolen money from her previously, which she feels was used to buy drugs. Archie has very often arrived at the [Youth Justice Service] visibly subject to the influence of Cannabis. Is now suspected of using a substance known locally as "power" this is thought to be a mix of M Cat and Cocaine - Archie stated (after release) he would not use substances such as cannabis to the level that he had done previously, and understands the direct link it has with his unsophisticated and rash offending - but he had refused [substance misuse] intervention at Hindley, and previously said that he would refrain from such use when released. This did not occur, however, and Archie now accepts he uses Cannabis on a daily basis, and its usage is directly linked to both offences considered in this assessment.

None of the boys in the sample had agency over when they were born, their ethnic background, or (to any great extent) where they lived. Yet these factors, with the possible exception of ethnicity, were likely to have had some bearing on their likelihood of self-harming. Undoubtedly, being a 17-year-old Welsh boy born in June and approaching your 18th birthday will not, alone, make you prone to self-harm. However, it does seem that for the boys in the research sample, some of the demographics they could not hope to influence or change had already predisposed them to self-injurious behaviour in certain contexts. Because of its inflexibility, this data has added weight, as it helps to begin to answer important questions about the extent to which the custodial environment, as opposed to other factors,

impacts upon a boy's likelihood of self-harm. It also offers a possible insight for assessors about what some static characteristics could tell them about risk.

4.2 Family, care and living arrangements

Children in the youth justice system commonly find themselves in an invidious position: they are more likely than other children to come from disadvantaged families and to have experienced negative, traumatic life experiences (Jacobson et al, 2010) such as abuse, neglect, bereavement, abandonment and/or poverty, which will predispose them to the kinds of negative behaviour that led them into the youth justice system. Some of these children will, before or during their contact with the youth justice system, become involved in the care system, which exists to look after children whose parents or families are unable to do so. The bind for such children is that, though the extent to which they reflect the challenges of addressing prior systemic disadvantage or failings of the care system is unclear, outcomes for children who have been in care are not good³³ and those in the care system are disproportionately represented within the youth justice system, and within youth custody as a whole.

This section seeks to explore the full range of family experiences of the boys in the research sample, but there is a particular question within the research about how the experiences of those who have been in contact with the care system impact on their journey to custody and on their emotional stability and thus their propensity to self-harm. The information available within the Asset assessments also provided a rich description of what 'care' looks like, particularly for 17-year-old boys. This is explored.

³³ The Prime Minister, David Cameron, recognised this himself (without identifying the complexities of the issue) in 2014 during a speech to The Relationships Alliance Summit: *'Over 68,000 children are in care. And the outcomes for those children have not been good'* (Prime Minister's Office, 2014)

4.2.1 Looked after children

Fifty-seven per cent of the boys in the research sample had some form of care history. Nearly 38 per cent (n68) of them were looked after³⁴ at the point they entered custody. The latest government statistics (Department for Education, 2015b) on children in care give the overall number of children aged 16 and older who were in care at any time during 2014-15 in England as 25,810. When compared with the corresponding population data (Office for National Statistics, 2015b), the figures reveal that 1.3 per cent of children in this age group in England were looked after at any time during 2014-15, presenting a startling contrast with the findings from the research sample which suggest that those entering custody were twenty-nine times more likely to be looked after than those of the same age in the general population.

Table 4.5 – Percentage of boys in the sample groups who were currently, previously or not recorded as having been looked after

	Group A	Group B	Group C	Group D
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
Not Known / No response	8.2	6.8	4.3	7.1
Current	40.8	31.8	37.0	40.5
Previous	16.3	13.6	26.1	21.4
Never	34.7	47.7	32.6	31.0

When data relating to the care histories of the boys in the research were compared across the four sample groups, they yielded an important finding in relation to sample group B - the boys who were not known to have a history of self-harm before entering custody, but who had engaged in an act of self-harm while in custody. Compared with the other groups, these boys were significantly less likely to have had previous contact with the care system. Could this be because previous

³⁴ Section 20, Section 31 or Section 23 (see definitions in chapter 1). Asset does not record those who become 'looked after' as a result of being remanded to custody.

self-harm had not been identified? Children in care, by the nature of the arrangement, are likely to be subject to a greater number of professional interventions and it is therefore reasonable to assume that there would be greater opportunities for identifying concerning behaviour. Or could the figures demonstrate lower resilience to the custodial environment on the part of those who had not been in institutional care or living away from their families in the past?

Might these boys be more vulnerable to the strains of custody because they had not had to experience so many hardships when in the community? Inspection of the narrative information gleaned from the assessment documents for this group did not suggest so. Connor's case exemplified this finding, and also neatly illustrated what appeared to be a vacillating picture of factual challenges and perceived positive factors in the boys' lives, whereby to assume that a background of local authority involvement in a child's care could provide an accurate measure of the challenges they had faced.

Connor had no history of being looked after by his local authority and appeared in sample group B in the study:

Connor generally has a very good relationship with his family. His parents are separated but his father lives locally and they have regular contact. Connor tells me his dad is a heavy cocaine and alcohol user. There is no evidence that his father was abusive towards mum when they were in a relationship and they still seem to get on well. Connor's paternal family have a history of offending behaviour and he appears to normalise this. Connor's paternal grandparents are subject to MARAC ³⁵ and they are known to use alcohol heavily. His mother and maternal grandparents appear to be a positive role models, although mum has told me she would never 'grass up' her son. I believe she wants to be supportive of him,

³⁵ Multi-agency risk assessment conference, which takes place in cases of high risk cases of domestic violence.

however this could send mixed messages to Connor about what is acceptable.

[Connor's] substance use is having a detrimental impact on his daily functioning; it is affecting his relationship with his mother and maternal grandparents, who have asked him to leave home on one occasion after he stole from them.

Connor spent 121 days in a YOI. It was his first time in custody and he had been sentenced to a DTO for burglaries and attempted burglaries of commercial premises. There were also charges against him for the assault of his girlfriend. While in custody, Connor was recorded as being involved in five incidents: two fights, two self-harm incidents and an incident where he was the victim of an assault. The first self-harm incident was described as follows:

When I went to open his door I noticed that he had a blooded nose asked him what happened he stated that he had head-butted the perspex on the window stated he did this because of his girlfriend. Has limited contact because he [is] awaiting adjudication. Nurse contacted also unit manager informed. I informed YP Connor that he would be placed on an ACCT, explained the reason for this.

While Connor was still subject to an ACCT plan, he was recorded as having self-harmed again, in an incident where, '...he cut himself as he was feeling low.'

Connor was recorded as a regular (daily) user of cannabis and cocaine, and it was apparent that much of his offending took place to fund these habits. His drug use and the violence towards his girlfriend mirrored the behaviour he was very likely to have observed in his paternal family. His YOT worker did not identify his drug use as a form of self-harm, but clearly recognised that tackling it was the key to improving future outcomes for Connor. Custody may have presented an opportunity to give Connor a break from the pattern of drug use established in his life. In the event he found other ways to abuse himself in the absence of drugs.

In comparison, Chris had a history of being looked after in voluntary care arrangements, had no history of self-harm and did not harm himself whilst in custody.

Regular cannabis and alcohol use. Not sure if he is using other substances (e.g. methadone - meow). Key factor - Chris's current offending is a directly linked to drug use and need to buy drugs.

Before entering custody to serve a period of remand for breaching a community order he had received for shoplifting, Chris had been living in supported housing, having been asked to leave his mother's house for stealing. This arrangement was preceded by several years of unsettled and unstable housing arrangements which included living with his older brother, YMCA accommodation and a number of residential care placements outside the local authority where his family lived. The assessment charts Chris's relationship with his mother, and includes insights into what appeared to be the typical routine of their dynamic:

Chris has been living with his mother for the past few months, this is a temporary arrangement. He reports that [their] relationship has improved. Chris described that he gets on ok with his mother's partner, who has previously displayed domestic violence. Chris witnessed the past stabbing offence for which [his mother's partner] went to custody. Inappropriate and inconsistent boundaries as [Chris's mum] consumes alcohol with Chris. Chris remains very protective towards his mother and younger sister.

There are a number of parallels in Chris and Connor's lives. The differences, according to their Asset assessments, were that Connor showed a lack of consequential thinking, possessed a greater number of positive factors in relation to his family (three, compared with Chris's zero), was concerned about the future (Chris was concerned about the past), and saw his drug use to be positive and/or

essential. Interestingly, Connor's offending began at a later age than Chris's, he had never been to custody before and had only one previous conviction, compared with Chris's tally of more than ten previous convictions and twenty-nine previous disposals. Chris had no recorded history of self-harm and did not self-harm in custody. His YOT worker noted concerns about his risks in this area if he went to custody, but it seems entirely possible that his previous experience in a range of custodial and care placements had prepared him for (or perhaps resigned him to) the reality of a period in custody. This may have made him more resilient to the challenges he faced. Like Chris, Connor was involved in a fight and was also the victim of assault while in custody. Connor related his troubles with other children to one of his self-harm incidents but Chris apparently did not feel moved to behave in this way.

4.2.2 Child protection

Few of the boys in the research (six in total) were subject to a current child protection plan at the time they entered custody. However 32.5 per cent had previously been on the child protection register. Of those who had never been on the register, 74 per cent had been subject to other referrals to social services.

Table 4.6 – Percentage of boys in the sample groups who were currently, previously or not recorded as being subject to child protection plans

	Group A	Group B	Group C	Group D
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
Don't know	15.2	11.1	14.0	5.3
Never	52.2	48.9	53.5	47.4
Previous	30.4	37.8	27.9	42.1
Current	2.2	2.2	4.7	5.3

There was little difference between the four sample groups in relation to the proportion of boys who had never been subject to a child protection plan. Perhaps unsurprisingly, the boys who self-harmed in the community and in custody (group

D) were most likely to have been subject to a child protection plan either currently or in the past; 47.4 per cent of boys in this group were in this category, 7.4 percentage points higher than the next largest group – those who had not self-harmed in the community but who did self-harm in custody (group B).

Assets for the boys who entered custody while subject to a current child protection plan generally failed to identify the specific reasons for the plan or how it would impact upon the period in custody. While this information may have been provided in the placement information form, it was of concern that children with a clearly identified need for specific protective measures did not have these explicitly described within assessments.

David was known to have self-harmed in the community and continued this behaviour during his time in custody. He entered a YOI while subject to a child protection plan as a result of physical and emotional abuse. When he entered custody in November 2014, first as a remand prisoner and then to serve three months of a DTO for theft, David was identified as high risk and was placed in a specialist unit for boys who struggle to cope on the main wings of YOIs. This need may have been identified following a previous period in custody, as this was not David's first time in prison. Shortly before he was remanded, his YOT worker described his current circumstances:

At the present time, David is a bail abscondee and whereabouts are unknown; a place has provisionally been obtained for him [at a housing project] (place held for two weeks). An attempt was made to place him with the remand foster carer but he refused to co-operate and had to be reported for breaching.

David reports he cannot stand living with mum or with grandparents. He is in a heightened emotional state, fuelled by grief at his brother's tragic death at 21, his estrangement from his girlfriend and two month old son, and an intake of substances and lack of sleep.

David was 17 years and nine months old at the time he entered custody. The traumas he had experienced in his life up to that point appeared to be almost inexhaustible: both of his parents were known to abuse drugs and alcohol in concerns dating back to 1995. There were allegations that David was sexually abused by his paternal grandfather; David went on to live with his grandparents for a significant period of time but it is not at all clear from the Asset record whether these grandparents were maternal or paternal. The volatile relationship he had with them, displaying particular dislike for his grandfather means that while assumptions would be dangerous, there was clearly a need for the relationships to have been explored within the assessment; they were not. David's younger siblings were both adopted in April 2014 and some months later his elder brother died from a terminal illness, following a period when David was caring for him. At the same time, David had a son (or possibly two sons – there are two different names used when talking about David's sons in the assessment) with a partner who he is alleged to have assaulted.

David received his first reprimand aged 10 years old and had more than ten previous convictions by age 17. He had no educational qualifications and was a regular user of alcohol, cannabis and class A drugs. Positive factors in his life were hard to identify in the assessment, though he was described as having a strong motivation to change.

David's self-harming in custody took place nearly two weeks after he was sentenced, by which time he had been in custody for about six weeks. The incident log records that 'He used a plastic knife to make minor scratches to his right forearm and seem very agitated and hearing voices.' This was the only information in the log and was also the only incident of self-harm recorded during David's time in the YOI. He was involved in three further incidents – one in each of the subsequent three months he was in custody. These were all assaults instigated by David on different boys, seemingly without any definable reason.

David's case was depressingly similar to that of the other two boys who were

subject to current child protection plans at the point of entry to custody and for whom information was available. Another similarity shared by all the boys who were subject to current child protection plans was their ethnicity. Each boy was white. Six cases were not considered to provide a rigorous finding in this area so the ethnicities of all the boys in the research sample were compared, grouped into their child protection plan status

Table 4.7 – Child protection plans and ethnicity

	2011 Census Estimate (whole UK population)	Children subject to CPPs³⁶ in England at 31 March 2015 (all ages)	YJB 2013/14 custody data	Research group (n181)	Boys subject to CPP current or previous (n65)	Boys never subject to a CPP (n86)
Asian	6.9	6.2	7.1	5.0	4.6	5.8
Black	3	5.6	22.4	7.7	4.6	6.9
Mixed	1.98	8.7	9.3	7.2	9.2	5.8
White	87.2	78	60.0	76.8	80	78
Other/ Missing	0.9	1.6	1.1	3.3	1.6	3.5

The data did not point to a clear conclusion, and direct comparisons were not possible because government data record ethnicity against child protection plans in place at a particular point in time, whereas the research data record current and previous plans for children. Despite this, the research data would tend to suggest that while (as explored in section 4.1.4) children from non-white ethnicities are no more or less likely to self-harm in custody than their white peers, they are, overall, less likely to be subject to a child protection plan.

This finding is not what one might expect to find, based on comparison with the

³⁶ Child protection plans.

most recent government data (Department for Education, 2015a) and much of the literature on ethnicity and child protection in the UK (for example, Chand, 2000) which tends to support an opposite proposition – finding that children from non-white ethnic backgrounds are likely to be overrepresented in child protection cases. Further detailed analysis of the child protection histories of the children in the research sample would be required to identify what may be at the root of this apparent anomaly, but one possible explanation could arise from the fact that the DfE data cover children of all ages. Could it be the case that older black boys are deemed less in need of protection than their white peers when they enter the youth justice system?

Other referrals to social services

In the Youth Justice Board guidance for completion of the Asset Core Profile, the following advice is given for completion of the section of the framework entitled ‘Any other referrals to or contact with social services’, which appears as the final question in the care history section:

This refers to care experiences not specifically lists (e.g. via Family Proceedings Court – s25 Children Act 1989). Involvement with social services in regard to other issues (such as a residence order) can also be included. In such cases, it is important to explain the reason for his/her contact with social services in the ‘Details’ box. (Youth Justice Board, 2000, p. 4)

For those children where an answer had been recorded (n160), 81 per cent had, according to the assessor, at some time been subject to a referral to social services. None of the assessments clearly identified the cause of contact and it is possible that in light of legislative changes enacted in 2012,³⁷ many of the boys had obtained ‘looked after child’ status as an automatic result of being remanded³⁸ in

³⁷ Namely the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

³⁸ As opposed to sentenced which would not attract the same ‘looked after’ status.

youth detention previously. Although it was not possible to discern how many boys had previously been remanded, 63 per cent of the boys who were recorded as having had current or previous referrals to social services had been in custody previously.

The myriad possible causes for contact with social services for the boys in the research sample made meaningful analysis futile, beyond the headline figure which represents the prevalence of contact between this group of children and the statutory services charged by Government with protecting them.

4.2.3 Living arrangements

Ben has had a very unsettled upbringing and several reports from [Children's Social Care] point to him having harboured feelings of rejections from both his mother (who put him into care) and his father (who has had little involvement with Ben and has sometimes denied being his father). Ben has not had therapeutic input that could provide him with an outlet for his feelings as he has routinely declined such support.

It is also likely that his absconding, his substance misuse, his offending, even his sexual behaviour are the result of learnt behaviours (i.e. Ben grew up in an environment where such behaviours were the norm, accepted and frequent) Ben has experienced an unsettled childhood and has been exposed to violence and aggression within familial relationships; poor attachment and abandonment from an early age.

The boys' care status in the eyes of the law was only one part of the picture of their living arrangements. Data were collected and coded to identify who the boys in the research sample were living with and how stable this arrangement was. Additional information was also collected pertaining to the adverse experiences boys may have had in their family or care environment, to ascertain the link between this and behaviour in custody. What became clear was that relationships and attachments with family members and corporate parents alike had

simultaneously positive and negative impacts on the boys, often leaving professionals and, more powerfully, the boys themselves deeply conflicted about how to behave.

Table 4.8 – Identified main carers during the past six months for boys in each of the research sample groups (as a percentage of each group)

		Group A	Group B	Group C	Group D
	Whole research group	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
Mother and Father	9.9	8.2	9.1	10.9	11.9
Mother	23.6	26.5	31.8	19.6	16.7
Father	2.2	2.0	2.3	4.3	0.0
Institutional care*	14.3	14.3	9.1	15.2	19.0
Alone**	25.3	16.3	22.7	37.0	26.2
Other family member or carer (e.g. adopted parents)	11.5	12.2	6.8	8.7	19.0

*In circumstances where the local authority was responsible for placement, usually into residential or short-term foster care.

** Commonly while ‘looked after’ by the local authority.

Across the whole research sample among the 158 cases where the boy’s main carer could be identified, more than a quarter lived alone. Although in most cases these boys were also subject to care orders and therefore had a corporate parent, if not someone with parental responsibility within their own family, this was significant, particularly when coupled with the fact that 14.3 per cent of the boys were living in institutional care, meaning that more than 90 per cent of boys were not living in circumstances which could be likened to the most common basic family construction.

In contrast with the national data (Office for National Statistics, 2015a), which identify that 75 per cent of families with dependent children are formed of two cohabiting adults, only 9.9 per cent of the boys in the research sample had been

living with both parents over the previous six months and as many boys as lived alone lived with either their mother or father only.

The proportion of boys who lived alone rose from 16.3 per cent among the boys (Group A) who had no history of self-harming (either in custody or the community) to 37 per cent among boys (group C) who had a history of self-harm in the community but had not undertaken such behaviour during their period in custody. This is of particular relevance because self-harm is something which frequently happens in private and (as was explored in chapter 2), is harder to detect in the community. Those boys who were living alone would have had a greater opportunity to hide self-harm and therefore were either more likely to self-disclose or had an even higher rate of community self-harm than was recorded (or both). To seek a greater understanding about the characteristics of this group, the sixteen boys who met the following criteria were identified within the research sample for further review and analysis:

- Identified in Asset as living alone
- Previous history of self-harm recorded
- No incidents of self-harm during this period in custody

The boys in this group, like all but one of the boys in the research sample who lived alone, were aged 17 on the date they entered custody. They spent an average total of 72.9 days in custody each – this was around twenty fewer days than the average for the whole research sample, despite the average seriousness score for this group being in line with the average for the wider group.³⁹ All sixteen boys were tobacco smokers, had (with one exception) recently used cannabis and ten of the sixteen had been recorded as having special educational needs. None of this was especially surprising or offered any particular clues as to what might be in the boys' characteristics, behaviour or emotional condition that would explain why they had not self-harmed while in custody. Perhaps their self-harm had happened

³⁵ Seriousness scores are explored in chapter 5

some time ago and they had since found other coping mechanisms. It appeared not, since eleven of the sixteen were assessed at the point of entry to custody as being ‘at risk of suicide or life threatening self-harm,’ with twelve being reported as, at the start of the custodial episode, having threatened to self-harm or take their own life.

Overall, and as is explored further in chapter 6, the boys in sample group C, who had a previous history of self-harm in the community but who had not self-harmed during the current episode (not just those within the sample group who lived alone) were involved in the lowest average number of incidents in custody of any kind across the whole research group. This finding is clearly more relevant as a comparison with those boys in sample group A who had no history of self-harm and who did not self-harm in custody either, as the natural expectation might be that the incident rate would be lower for this group than for the other three. The average number of incidents in custody per boy in the group with no self-harm history at all was 1.31, compared with a rate of 0.89 for boys who had self-harmed in the community but not in custody.

Eight of the ten incidents the four boys were involved with were notable for all being described as ‘fights,’ as opposed to assaults. Incidents and incident reporting is explored in more detail in chapter 6 but in general terms, violent altercations between two or more boys were far more likely to be described as ‘assaults’ than as fights. It seemed possible that in this group a clear protagonist in violent incidents was harder to identify by the staff reporting the incidents. One incident involved the boy in question falling victim to an assault by another boy in the YOI, and the remaining incident was categorised by staff as property damage, but was described in the log as follows:

At 0848 hours after having a phone call to his family, trainee Kai began punching the phone and kicking out at staff, MMPR⁴⁰ was used and Kai

³⁶ Minimising and Managing Physical Restraint – the system of behaviour management in use in under-18 YOIs.

was located to the CSU⁴¹ until he had calmed down. He was seen by RMN⁴² Miller who opened an ACCT on him. Kai was later located into the HCC⁴³ for the rest of the day. He will locate back to [his unit] after his tea meal. Luke is prone to outbursts like this and has had an ACCT recently closed.

There are several points of interest in this short incident report. First, there is the question about whether this ‘outburst’ was, in fact, an incident of self-harm in the first instance, which escalated into an assault on staff. Kai’s vulnerabilities were obviously recognized as such because part of the response to this incident was to open an ACCT document, which (as described in chapter 2) is NOMS’ system for managing risks of self-harm and suicide in adult and child prisoners. The second question arising from the log entry is around the motivation for Kai’s behaviour towards staff and whether this may also have been consciously or unconsciously an attempt to facilitate a physical response from staff. The third question arises from the statement that Kai was prone to outbursts like this one, and had recently been subject to an ACCT plan, which had only recently been closed. Because there are no other similar incidents listed for Kai in the incident log, it must be assumed that staff had previously been able to manage his risks and vulnerabilities without the threshold for incident reporting being met. What was the practice that had enabled this, and was there reflection within the staff team about how this could be used to support Kai in the future?

The staff caring for Kai could not have claimed to be unsighted on the risks to his safety and wellbeing, particularly in relation to any contact he might have with family members, as this is set out in some detail within his Asset Core Profile:

Kai’s encountered severe neglect from his parents during his childhood and was exposed to their substance misuse and domestic violence. This

³⁷ Care and Separation Unit.

³⁸ Registered Medical Nurse.

³⁹ Health Care Centre.

resulted in him being removed from their care and into care of the Local Authority in January 2003.

[Kai] was described as "a breath of fresh air" and a very mature and insightful individual. Kai is, however, unclear about his move on plans but he can stay at the current accommodation until his eighteenth birthday. Kai has experienced a significant amount of inconsistency and instability in his life having had 28 Social Workers and living in over 10 placements, including both Foster Care and Children's Homes which has impacted upon his emotional wellbeing. He has expressed that he is tired of moving to different placements and wants to have a stable home but is unclear where this may be in the longer term.

This extract from Kai's assessment highlights one of the key factors likely to have set boys who had lived alone apart from others in custody – they were likely to be more mature and resilient in an environment where they were living without a 'carer' figure. The factors in their lives which contributed to all the boys' likelihood of self-harming were in most cases more numerous and severe, but their ability to cope alone seemed to be greater.

4.2.4 Adverse characteristics of living arrangements

Asset enables assessors to record the number of problematic aspects of children's living arrangements, against a fixed list:

1. No fixed abode
2. Unsuitable, does not meet his/her needs (e.g. overcrowded, lacks basic amenities)
3. Deprived household (e.g. dependent on benefits, entitlement to free school meals)
4. Living with known offender/s
5. Absconding or staying away (e.g. ever reported as a missing person)
6. Dis-organised / chaotic (e.g. different people coming and going)
7. Other problems (e.g. uncertainty over length of stay). (Youth Justice

Board, 2000)

Each of the boys in the research group for whom this question was answered was recorded as having at least one problematic characteristic linked to their living arrangements. Half of the boys had at least four. Those in sample group D, who had self-harmed in the community and also self-harmed in custody were more likely than those in the other sample groups to have four or more of the problematic aspects described above – 58.3 per cent compared with 44.3 per cent among the two sample groups of boys who had not self-harmed in the community previously. The child who had all seven of the identified issues with their living arrangements was David, whose circumstances were explored in some detail in section 4.2.2.

David was subject to leaving care arrangements and a child protection plan at the time the Asset was completed. The Asset Core Profile guidance (Youth Justice Board, 2000) asks assessors to record who the young person has ‘mostly’ been living with for the previous six months. In David’s case his grandparents are noted as these people and it is presumed that the tick list of issues about living arrangements is in respect of their home and situation, but this is not clear. In reading the assessments as whole documents, in the sections requiring a qualitative assessment, it was the author’s observation that the sections requiring qualitative assessment were sometimes used as a gallery of evidence to support more general concerns about vulnerability and risk, rather than as a considered reflection of the child’s current circumstances. This presents a problem for an assessment which looks at dynamic risk factors at a point in time and does not always ask users to give measured consideration to the cumulative impact of historical circumstances.

Despite the likely subjective nature of this section of the assessment, what was clear was that children entering custody from the sample group had challenging home lives with multiple disadvantages. A large number of these boys were in the care system, which did not appear to be mitigating the adversities they were

experiencing.

Table 4.9 – Boys currently in care – number of boys with each number of adverse characteristics of living arrangements distinguished by sample group

		Number of adverse characteristics of living arrangements							Total
		1	2	3	4	5	6	7	
Sample Group									
A	No SH in the community, No SH in custody	5	3	6	3		0		17
B	No SH in the community, SH in custody	4	3	3	2		2		14
C	SH in the community, No SH in custody	4	5	8	2		0		19
D	SH in the community, SH in custody	6	5	3	2		2		18
	Total	19	16	20	9	0	4	0	68

Sixty-eight boys were subject to current care orders at the time the Core Asset was completed; 19 per cent (n13) of these were assessed as having four or more adverse characteristics related to their living arrangements – significantly fewer than the average for all the boys in the research group, and perhaps an indicator of an improved situation as a result of the boys’ ‘looked after’ status. If this is the case, it is not reflected in the narrative description of living and care arrangements for this group of boys. A typical description, in this case relating to Toby – for whom no adverse living arrangement characteristics were listed – is shown below:

On Full Care Order since age of 8. Lived with his Aunt as Kinship foster placement for most of his upbringing until age 15 when he left and went through multiple placements, finally being sectioned to [a] Psychiatric unit....From June 2013 he was with Aunt until December 2013. Since

December he was with private accommodation providers, until end of April 2013 when he moved to [housing provided by a homelessness organisation] as a temporary measure.

A more plausible conclusion seemed to be that the chaotic and ever-changing nature of the boys' living arrangements meant that making a clear assessment of positive and negative factors at any one time would have been very difficult for YOT workers, and was likely to result in them making generalised assessments about the broad circumstances each boy found himself in. While telling about the likely attitudes of assessors, this information was less helpful in identifying any key characteristics that might broaden understanding of how the boys might adjust to a period in custody. There are also implications here which would limit the use of the assessment to support the boys' return to the community after custody as it would be significantly more difficult to isolate specific familial-environmental factors linked to offending or harmful behaviour in order to address them in resettlement plans.

In addition to the information gathered about the number of adverse characteristics associated with the boys' living arrangements, some specific data were collected in order to identify whether the boys had recently (within the past six months) experienced a change in their living arrangements, whether they had been the victim of abuse, had family members (with whom they had contact over the past six months) involved in drug or alcohol misuse or had suffered any 'significant bereavement or loss.' In the secondary literature review, the presence of these factors were all identified as possible triggers or risk indicators for self-harming or suicidal behaviour.

4.2.5 Family members involved in drug or alcohol misuse

Table 4.10 – Number of main carers who were involved in drug or alcohol misuse cross-tabulated with their relationship to the boys in each sample group

	Group A	Group B	Group C	Group D
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
Percentage of sample group where response is 'Yes'	20.0	47.2	26.8	36.8
Main carer/s				
Mother and Father	0	3	1	4
Mother	1	6	2	1
Father	0	1	0	0
Institutional care	2	0	2	1
Alone	1	2	5	4
Other family member or carer (e.g. adopted parents)	2	3	1	3

The presence of a parent, carer or family member who had been known to misuse drugs or alcohol within the previous six months was a reality for a substantial number of the boys in the research group. The three groups (B, C and D) of boys with any history of self-harm were more likely to have a family member involved in drug or alcohol misuse than those in group A who had not been known to self-harm in custody or in the community. The group of boys most likely to have experienced living with a family member using drugs or alcohol was group B: those who had not been recorded as self-harming in the community but who did self-harm in custody. It was interesting to note that the greatest proportion of boys in this cross-tabulated category were cared for by their mothers alone before going to custody, whereas (for example) those boys in group C who self-harmed in the community but not in custody, who had experienced family members using drugs or alcohol, were far more likely to have lived alone or in institutional care before

going to custody. This finding offered some support to the hypothesis beginning to develop in section 4.2.1 about resilience factors for the boys who had lived alone before going to prison.

The Asset did not reliably record which family member was involved in drug or alcohol use so this could not be assessed for the whole sample group.

The past 20 years have seen a flurry of research on child witnesses to domestic violence, and numerous qualitative reviews of this research have concluded that children's exposure to marital violence is associated with a wide range of psychological, emotional, behavioural, social and academic problems. (Kitzmann et al, 2003, p. 339)

Annex B looks in more detail at the circumstances for eleven boys from two of the four research groups, revealing a consistent pattern among the boys who self-harmed in custody but had not been known to self-harm in the community. In addition to the factors⁴⁴ used to identify this small sub-group for further exploration, it became clear that the boys' lives contained at least two other shared characteristics: the witnessing of domestic violence against their mothers, and daily cannabis use, described in terms which suggested that it was seen as an essential crutch for the boys to help them to deal with emotional issues and anxiety. For example: 'Mason has said that he is smoking approximately one spliff a day and that it is mainly to help him sleep.'

Mason had been the victim of abuse at the hands of his father when he was younger, and had gone on to see his mother assaulted by two ex-partners, of whom one died and the other, whom Mason was described as having a good relationship with, served a prison sentence for breaking his mother's arm, and was also known to have punched Mason's sister.

⁴⁴ Boys who did not have a history of self-harming in the community but who did self-harm in custody, with carers or family members involved in drug and/or alcohol misuse within the past six months who had lived with their mother before going to custody.

The day after Mason arrived in custody, he activated his cell-bell⁴⁵ and was found by staff to have been punching his wall. He informed them that he had done this because he was hearing voices and wanted to hurt himself. There were no other incidents of self-harm recorded in the three months Mason spent in custody.

The boys in this sub-sample group had clearly grown up facing multiple difficulties and were likely to have been conflicted by their experiences of witnessing their mothers as victims of violence at the hands of men who were also supposed to act as role models to the boys. Many studies (for example, Murrell et al, 2007) have looked at this issue from the position of the witness as an adult, frequently finding that abuse patterns of adults who witnessed abuse as a child reflected the behaviour they observed as a child. The evidence obtained from exploration of this sub-sample group would suggest that adolescent responses to the witnessing of domestic violence may not be so transparent in their links, and may manifest in substance use offending. It is notable that most of the boys in the sub-sample had not engaged in serious or violent offending and most also had a small number (typically two or three) of previous youth justice disposals, which was in contrast to the findings for the wider group of boys who self-harmed in custody, who were likely to have a large number of previous disposals and more generalised difficulties engaging with adults.

The following extracts from Reece's Asset Core Profile illustrate the range of conflicts and difficulties the boys were likely to face:

There was a serious incident when Reece's mum and step-dad stabbed each other after the use of alcohol....Reece looks up to his father and older brother [who] have both led offending lifestyle....Reece has caused criminal damage in the home environment and [his mum] has often call the Police....Reece's behaviour in the home could potentially cause him to

⁴⁵ Used by prisoners to gain the attention of staff.

commit offences....Reece recently disclosed that he could smoke up to [£100 worth] of Cannabis a week...Reece's cannabis consumption may cause him to be convicted of possession in the future....Reece has emotional, social, behavioural and learning needs.

The assessor concludes:

Reece's previous exposure to domestic violence would have been stressful and a source of frustration. It is my assessment that Reece has difficulty in managing difficult emotions. These events may have affected his emotional development and coping abilities.

Reece had engaged in some violent offending and also had (unlike most of the other boys in this sub-sample) three previous custodial sentences, despite being only 16 when he entered custody on this occasion. He had not self-harmed in the community before but had self-harmed and threatened suicide during previous custodial episodes. On this occasion, he was remanded for 25 days and during this time was not involved in any incidents. Given how entrenched his behaviour had become and the volatility with which he responded to the very difficult events he had witnessed, one wondered whether Reece was in a period of transition from a boy who predominantly harmed himself, to a man who harmed others. While this transition may not have been linear, moving chronologically from self-harm to violence towards others, the escalation in Reece's violent behaviour was evident in his assessment and suggested that he may have found a more effective way to vent his frustrations, which looked increasingly like the behaviour he had seen in his family. One also wondered for how many generations before him such a cycle had been repeated.

It was clear that the harm caused by parents or family members abusing drugs and alcohol reached beyond the example set through this behaviour, although this alone appeared to be damaging enough given the almost universal prevalence of regular substance misuse by the boys whose family members were regularly

involved in such activities.

Across all the sample groups, 32.3 per cent of the 155 boys for whom information was available were recorded as having family members or carers who had recently misused drugs or alcohol. Of those, 100 per cent had recently or ever used cannabis. In some respects this was not overly significant because 92 per cent of the whole research group also met these criteria. There was a similar pattern with alcohol use.

Sixty-one per cent of the boys with family members or carers who had recently misused drugs and/or alcohol, however, had recently or ever used class A drugs. This compared with 34 per cent within the group of boys whose family did not have a recorded history of drug and/or alcohol abuse, and represented a significant difference.

Table 4.11 –Boys whose family members were recently involved in drug and/or alcohol misuse

	Group A	Group B	Group C	Group D
	No SH in the community , No SH in custody	No SH in the community , SH in custody	SH in the community , No SH in custody	SH in the community , SH in custody
Carers/family members involved in drug or alcohol misuse (percentage of all boys in sample group)	20.0	47.2	26.8	36.8

What was relevant in the data about cannabis use among the group of boys whose families were known to misuse drugs and/or alcohol, however, were their distribution across the three sample groups (B, C and D) containing boys who had self-harmed. The impact of parental substance abuse on children's wider behavior is perhaps demonstrate by the data distribution in table 4.11, above i

4.2.5 Victims of abuse

Table 4.12– Percentage of boys in each sample group who had experience of abuse

	Group A	Group B	Group C	Group D
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
Experience of abuse	47.5	44.4	63.4	68.4
No experience of abuse	45.0	47.2	34.1	26.3
Don't know	7.5	8.3	2.4	5.3

More than half of the boys in the research sample had experienced abuse, defined by the Asset Core Profile Guidance as ‘...any experience of abuse, regardless of when it happened.’ (Youth Justice Board, 2000, p. 6). As with many fields within the Asset Core Profile, the possible interpretations of the word ‘abuse’ by assessors were likely to be broad and it was therefore the narrative explanations of the boys’ experiences which yielded the most important information about their experiences. Despite this, the distribution of data across the four sample groups showed a clear weighting of abuse experiences among those boys who had self-harmed in the community (groups C and D) when compared to those who had not. As is shown in Table 4.12, above, almost 70 per cent of boys who self-harmed both in the community and in custody (group D) had experienced abuse. A link between abuse and self-harm in any setting was an obvious connection as informed by the literature review (Hawton, 2006; Liebling, 1992), although it should be noted that most research in this area focuses on adult self-harm as a response to childhood mistreatment or on the impact of sexual abuse on girls.

Qualitative analysis of the incident logs for the boys in sample group D, who were involved in self-harm in custody who had also self-harmed in the community suggested that the boys in this group were more entrenched in their self-harming behaviour, and more frequently turned to self-harm following difficult

conversations with family or friends:

At 18:20hrs Freddie from Cell 3 come on the intercom and requested to see the nurse, when I opened the door I saw that Freddie had cut open the top of his left hand. He claimed he had done this due to frustration after a bad phone call to his grandparents. After much coaxing Freddie handed over the top of a tin, this is what he had used to make the wound...nurse attended.

On 19/09/14 at 1645 on B3 Induction landing, young person Toby after a phone call and ACCT review began punching himself in the face. Force was used to stop him. He was then de-escalated.

The interventions of staff to prevent the boys further harming themselves were likely reminders of the abuse the boys had experienced or witnessed, and were responses which would have mirrored the confusing expectations of 'care' they would have developed. The assessments of professionals sometimes could only be read as reinforcing those confused expectations – identifying parents and carers responsible for abusing their children as positive and constant in narratives which appeared at times to be straining to find pro-social and consistent role models for boys displaying behaviour frighteningly reminiscent of those who were often charged with their care. In Freddie's case, for example, the assessor records that:

Freddie has experienced multiple problems throughout his childhood which contribute to the deficits in his emotional management and cognitive ability, however it is encouraging his father has been consistent in provision and support for Freddie throughout difficult periods.

They go on to record an incident in Freddie's family home:

Freddie was assaulted by his father within the family home on 10th Aug - Freddie's account was he and [his step-mum] were having a discussion

about her accusing him of taking drugs as she stood outside the family home. Freddie encouraged her to discuss in doors, father met him at the top of the stairs and pushed him. Freddie pushed father back. [Freddie's father] punched Freddie once to the head. Freddie left the address and attended a friend', whose parents took him to hospital to check for concussion...relationships between Freddie, his father and step-mother have previously presented as extremely volatile at times, leading to aggressive, destructive and violent outbursts which have often remained unreported to the police.

The presence of what appeared to be an optimistic bias⁴⁶ relating to the protective abilities of carers who were evidently troubled and dysfunctional in their own right was not uncommon in the assessments. The 'rule of optimism' is frequently documented in serious case reviews as a pitfall of child protection social work (for example, see Coventry Safeguarding Children Board, 2013), but appears, as a theory, to have been somewhat detached from the original study which coined the term in relation to organisational rather than individual bias. The study's author sets this out in the 2014 preface to the second edition of the book that first described the practice:

Psychologizing the rule of optimism makes it into a tool for blaming child protection workers for child abuse deaths. It diverts attention from the context in which they have to make difficult decisions with imperfect, limited and fragmented information. (Dingwall et al, 2014, loc 89)

It was not surprising that assessors wanted to find positive and potentially protective factors to support the boys they were working with – most would not have been child protection professionals (who most frequently find themselves on the receiving end of criticisms about optimism bias) and would have been focused on capitalising on elements of the children's lives that might have kept them away

⁴⁶ Whereby the professional making the assessment is considered, usually in hindsight, to have overemphasised positive aspects of a case in such a way as to obscure areas of concern or risk.

from crime and enabled them to comply with court orders. What was surprising was the presence in some cases of clear contradictions in fact-finding that were bound to impact on overall risk assessments. Nowhere was this more powerfully exemplified than when looking at the binary measure of whether the boys had experienced bereavements or losses.

4.2.6 Bereavement or loss

This question is about the impact of loss on the young person rather than the event itself. A ‘yes’ response could be triggered by any incidence of bereavement or loss which continues to have a significant impact on his/her everyday life functioning, regardless of when the event actually occurred. A ‘no’ response could be given in cases where s/he has experienced loss, but the impact on his/her current life and situation is small. (Youth Justice Board, 2000)

In Michael’s Asset, the assessor had recorded ‘don’t know’ as the answer to the question about bereavement or loss. The assessment goes on to describe that when Michael

...was 6 he was told that his step father was not his biological father, on his 10th birthday his younger brother died from cancer, later that year his uncle was murdered in a gang related incident... and his grandfather died. Michael has often mentioned about his brother’s death and has admitted that he needs to talk to someone about everything that has happened to him however he often finds it difficult to find ‘the right time to start this process’. Michael has also been consistently clear about how angry he has felt with his mother for the way she has treated him over the years.

It is difficult to reconcile the contrasting responses given in the tick-box and free-text sections of the assessment in relation to Michael’s experience of loss. It may have been a recording error, a lack of confidence or an ill-informed judgement on

the part of the assessor. It was, however, not unusual to see such contradictions within the Asset documents, although this was one of the most startling examples. The YJB places children in custody, reliant on Asset documents completed in the community by professionals who know children, to inform the understanding and risk assessments of the staff in custodial establishments who will be charged with their care. The absence of any meaningful information in some cases and the errors and inconsistencies in others would tend to call this reliance into question.

Table 4.13 – Boys in each sample group who had experienced bereavement or loss (as a percentage of boys in each group)

	Group A	Group B	Group C	Group D
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
Has suffered bereavement or loss	39.0	34.3	48.8	50.0
Has not suffered bereavement or loss	53.7	54.3	46.3	50.0
Don't know	7.3	11.4	4.9	0

The two groups of boys who had a history of self-harm in the community appeared somewhat more likely to have experienced a bereavement or loss than those who had not. Interestingly, the sample group containing the lowest proportion of boys who had experienced a bereavement or loss was the one where there was no record of self-harm in the community but where the boys had self-harmed in custody. This group was also the least likely to have experienced abuse (see Table 4.12), the most likely to live with their mother (see Table 4.8) and the least likely to have spent time in care (see Table 4.5). A picture begins to emerge of a group of boys whose incarceration removes them from a home life which, when compared with that of their immediate peers, is comparatively stable.

Shane was five months away from his 18th birthday when he received a six month DTO for possession of class A drugs with intent to supply, and went to custody

for the first time. Before this he had been unknown to the YOT; the Asset Core Profile for Shane records:

‘Shane’s mother said that none of her other children have been in trouble with the police and it came as a shock to her that Shane had offended.’

Shane had not experienced loss or bereavement; his father was absent but this was not noted as having an impact on him. Shane was not assessed as having self-harmed previously or of being at risk of self-harm in the future. He was a regular cannabis user but had no other noted ‘risk factors’ in relation to harm he might do to himself. Within four days of entering custody, he had self-harmed three times. This did not, according to the incident log records, develop into a pattern of behaviour during the rest of Shane’s time in custody, and he was not noted as having been involved in any other types of incident during the three months he remained in the YOI. There could be a range of possible explanations for the way that Shane responded to imprisonment, none of which can be evidenced with the available records. What is clear, however, is that his reaction was instant, temporary and unprecedented. Was he not used to coping, or had his access to his normal coping mechanisms (family, friends, cannabis?) been removed for the first time? His behaviour could be theorised as a response to the total institution he was living in (see Chapter 3) and the loss of Goffman’s ‘fantasy materials’.

4.3 Education

4.3.1 Educational engagement

‘Bailey is not currently accessing any education provision due to his refusal to engage and the barrier that is presented by [education, training and employment] provisions due to his offending behaviour and the high risk he presents.’

When statistics were released (Department for Education, 2015c) describing the

participation of 16 to 18-year-olds in education in England during 2014, they were much lauded by the Skills Minister Nick Boles, who said:

These figures are the strongest seen in more than 20 years and emphatically show that our plan for education is working. This positive trend shows that we are on track to fulfil the government's aspiration of building a nation of full employment and ensuring every young person has the world-class skills they need to fulfil their potential and succeed in modern Britain. (Department for Education and Nick Boles MP, 2015)

The statistics showed that more than 87 per cent of 16 and 17-year-olds in England were in education or work-based learning, with the percentages of those not in education, employment or training (NEET) having reduced to 3.3 per cent and 5.4 per cent for 16 and 17-year-olds respectively (Department for Education, 2015c, p. 1) The increased uptake in education among 16 and 17-year-olds was doubtlessly stimulated by the introduction in 2013 of legislation to raise the age of participation in education (Department for Education, 2015c, p. 4), which applied to all the boys in the research sample.

The Government's drive to increase participation in education and training is supported by an evidence base which, while not always identifying causality, finds links between those who are NEET and (for example) mental health problems, persistent youth offending, use of drugs and earlier deaths (Coles et al, 2010, p. 7). In relation to crime, Coles et al (2010, p. 12) estimate that nearly 30 per cent of the NEET population may be involved in the youth justice system in some way. Indeed, in early 2014 a 'Youth Engagement Fund' was announced by the Deputy Prime Minister, to target young offenders in an initiative to reduce the number of NEET children (Children and Young People Now, 2014); at the same time, an ambitious programme for 'Transforming Youth Custody' was announced by the Prime Minister, with improvements in educational attainment for children in prisons at the heart of its agenda (Ministry of Justice, 2014).

The Government has high hopes, and recognises the value that educational engagement (if not achievement) can add to the lives of those who take part. A two-pronged attack on participation in education is perhaps to be applauded—at once seeking to reduce the number of children in the youth justice system by improving their access to education and tackling achievement for those who have not been prevented from becoming embroiled in criminal behaviour. But the experiences of the boys in the research group suggest that practitioners may be more concerned with supporting and facilitating what children need at an even more basic level: the safety and stability either in the community or in custody which might be the foundations for positive links with education or training.

Table 4.14 – Boys in research group by educational involvement and age at point of entry to custody (where information was available)

		Not applicable	In education	Not in education	Total
Age (year)	15	1	9	2	12
	16	4	21	11	36
	17	11	31	70	112
	18	0	0	1	1
Total		16	61	84	161

In contrast with the celebrated national data referred to above, and in fact in an almost direct reversal, 62.4 per cent of 17-year-olds in the sample were known to be⁴⁷ NEET before they entered custody. Only 27.7 per cent of this age group were known to be in education, work or training, compared to 87 per cent in the wider English population. The picture for 16-year-olds was a little better, with 58.3 per cent of boys in the sample recorded as in education before they went to custody.

⁴⁷ An answer of 'not applicable' was recorded for 9.8 per cent of 17-year-olds, suggesting that it was felt that they were above the statutory school age. This would no longer have been the case for the vast majority (if not all) the boys in the sample.

Table 4.15 – Percentage of boys in each research sample who were recorded as being ‘in education’

	Group A	Group B	Group C	Group D
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
Not applicable	9.5	11.6	7.9	10.5
In education	45.2	25.6	39.5	42.1
Not in education	45.2	62.8	52.6	47.4

Overall, the group of boys in the research sample who were least likely to have been in education prior to entering custody were those who did not self-harm in the community, but went on to harm themselves in custody. Through comparison with the age data in Table 4.14, it is possible to conclude that this is likely to be because of the smaller proportion of 16-year-olds in this group, who, as is demonstrated in the cross-tabulation, are more likely to be recorded as being ‘in education’ than their older peers.

Table 4.16 – Educational involvement of boys in research sample distributed by care history (number)

		In education?			Total
		Not applicable	Yes	No	
In care?	Never	7	21	31	59
	Don't know	0	4	4	8
	Current	8	25	28	61
	Previous	1	10	20	31

Table 4.16, above, cross-tabulates data about boys described as ‘in education’ with their care history. The group of boys who were most likely to be described as ‘in education’ were those who were currently in care. They were more likely than either previously looked after children or those who had no care history to be in this group.

However, describing a child as ‘in education’ is not illustrative of their levels of participation or their engagement in learning, so it was necessary to look more closely at the measures within the Asset Core Profiles for further evidence of how the boys may have interacted with education or training opportunities in the community. Attempts to conceptualise, define and measure educational ‘engagement’ are numerous and well documented (see Appelton et al, 2008), but are unlikely to have been at the forefront of assessors’ minds when completing the Asset Core Profiles of the boys in the research sample. In recognition of this, the additional characteristics and recorded measures related to education and learning were likely to provide a more telling description of what impact education had on the boys’ pre-custody lives. Involvement in education, training or employment was recorded in Asset under a number of possible, pre-defined options. These are listed in Table 4.17, below.

Table 4.17 – Percentage of boys in research sample groups by type of education, training or employment engagement

	Group A	Group B	Group C	Group D
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
Not recorded	14.3	6.5	13.6	9.5
Casual/temporary work			2.3	2.4
College/Further education	2.0	2.2	9.1	2.4
Full time work		2.2	4.5	2.4
Home tuition			2.3	
Mainstream school	10.2	2.2	2.3	
Nothing currently arranged	24.5	41.3	15.9	31.0
Other	8.2	10.9	9.1	7.1
Other specialist unit	10.2	10.9	13.6	16.7
Other training course	6.1	8.7	6.8	7.1
Pupil referral unit	6.1		2.3	4.8
Special school	4.1			4.8
Unemployed	14.3	15.2	18.2	11.9
Unemployed and Nothing currently arranged	38.8	34.1	56.5	42.9

Not one of the boys in the sample group (D) of those who self-harmed in custody and in the community was in mainstream education before going to custody. Of all the boys in the research group, they were the most likely to be in a ‘specialist unit,’ not always defined within the free-text areas of the assessments but appearing to range from a specialist provision for children with Autistic Spectrum Disorders, a specialist college provision for children who have not completed mainstream school to education within mental health settings.

The largest single ETE grouping for boys across all four sample sets was described as ‘nothing currently arranged.’ It was not clear in guidance or within the assessments themselves whether and if so, how, this situation differed from that of the boys who were described as ‘unemployed,’ although it was perhaps reflective of a delay among practitioners to recognise the new statutory requirements for children beyond the age of 16. When these two groups (‘unemployed’ and ‘nothing currently arranged’ were combined, they illustrated a substantial proportion of boys in the research group who were inactive in any formal learning or training or in the labour market before they entered custody, despite still all (since 2013) being required to be so. The boys who had not self-harmed in the community, but who did in custody (group B) were the most likely to fall into one of these categories; an outcome not anticipated. These boys were the least likely to have structure or regular activity in their community lives, which is a recognised protective factor from self-harming behaviour (Walker, 2012). There was no obvious explanation in any of the data for this result – offending behaviours were varied and did not indicate structured criminal activity (for example, drug dealing); living arrangements were also mixed, and there were no other discernible patterns to explain a link.

The assessments did not reveal what their authors understood the meaning of the phrase ‘in education’ to mean, although they did establish that very few of the boys in the research group had unblemished school attendance records; 72 per cent of all the boys in the research group had a history of non-attendance at

school. This proportion rose markedly to 85.7 per cent among boys (in sample group D) who self-harmed in the community and in custody but was steady across the other groups at between 66 and 67 per cent. When considered alongside the analysis of data relating to ETE involvement, this was arguably more relevant, as it told something about the boys' real activity as opposed to their administrative enrolment with an institution or organisation. To an extent (though not fully) it also reflected anticipated findings in relation to boys who were less occupied in education being more prone to self-harming behaviour (see Walker, 2012).

What the data did not explain was the route of the boys' absences from ETE, and whether this was of their own volition (i.e. truancy), the result of formal or informal exclusion (Brodie, 2000), permanent expulsion on behalf of the education body or removal by parents or carers, either formally or as a result of the boys being involved in other activities within the family, such as work or caring for others.

Previous studies looking at adolescent self-harm have often focused on school-based sampling, which by its nature has excluded children who were absent (for whatever reason) during the research period. The possible impacts of this approach on findings were explored in the literature review, but it is acknowledged that in, for example, Keith Hawton et al's significant self-reporting survey of self-harm amongst adolescents (2002, p. 1210) that this was the main reason for 'non-inclusion' of potential research subjects. Notwithstanding this, the available evidence suggests that absenteeism (often conflated with truancy in research papers) is a more prevalent behaviour among self-harming adolescents than among those who do not self-harm:

Despite endeavouring to include as many young people as possible from the target population in the survey...we cannot rule out the impact of absenteeism on the prevalence of self-harm, as it is known that self-harm is more common in those who truant (therefore adjusting for truancy would increase the 'true' prevalence rate for self-harm). (O'Connor et al,

2009, p. 71).

The information available from the Assets has the potential to shed light on this area, because information was not collected from children at school. While it focuses on another sub-set of adolescents (namely, boys heavily entrenched in the youth justice system), it should reveal something about the link between absenteeism and self-harm. Boys with no history of self-harm were less likely to also have a history of absenteeism than the boys in the other three groups, thereby supporting the hypothesis set out above and in the literature review that general research into adolescent self-harm is likely to exclude a group of children at higher risk of self-harm than those who regularly attend school.

Table 4.18 – Percentage of boys in each sample group who had any qualifications (academic or vocational)

	Group A	Group B	Group C	Group D
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
No qualifications	60.0	50.0	66.7	62.9
Any qualifications	25.7	41.2	27.8	31.4
Don't know	14.3	8.8	5.6	5.7

Another measure of ‘engagement’⁴⁸ in education, particularly in a group of boys who were, in the majority, beyond the age when most children would be expected to have completed their secondary education, was in relation to the proportion of boys with qualifications. Asset Core Profiles enabled assessors to record whether children had educational or vocational qualifications (although the difference was not described in guidance for completing the assessments so it must be inferred). Of those for whom any response was recorded (including ‘don’t know’), 60.4 per cent (n84) had no qualifications of any kind (a figure which rose to 77 per cent

⁴⁸ As opposed to ‘enrolment’ which would tend just to suggest that someone is ‘on the books,’ or ‘attendance’ which might describe physical presence but not necessarily active participation.

among those boys with special educational needs identified); 28.8 per cent (n40) had one or more qualification of either kind; and for 8.6 per cent, assessors did not know whether the child had any qualifications. Recently, the formal measures of educational attainment have changed (Hagell et al, 2015), with most statistical information focused on attainment against a benchmark of five GCSEs, or equivalent, at grades A*-C or A*-G, with little noted about children who may leave statutory education with no qualifications or who have obtained a number below the threshold of five. The most recent census data (Office for National Statistics, 2011) does, however, identify that 11.4 per cent of 16 to 24-year-old males had no formal qualifications. Because neither this dataset nor the information collected from the Assets disaggregates those 16-year-olds who were still undertaking studies at the time of recording, the census information can provide a proxy for comparison with the figure in the sample, which suggests that the boys in the research group were more than five times (5.29) more likely than those in their age group in the wider population to have no qualifications.

The boys in the sample with a history of self-harm in the community were more likely than those with no recorded history of self-harm in community settings to have no qualifications (see Table 4.18, above). This was in line with findings about absence levels among these two groups of boys, and with theories about lack of occupation leading to an increased propensity to self-harm.

4.3.2 Special educational needs

Table 4.19 – Percentage of boys in each sample group for whom Special Educational Needs (SEN) were identified

	Group A	Group B	Group C	Group D
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
Don't know	10.5	5.7	8.8	3.0
SEN	28.9	60.0	32.4	54.5
No SEN	60.5	34.3	58.8	42.4

Forty-three percent of the boys in the research sample were identified as having special educational needs. When the data relating to this need was organised across the four sample groups, it barely required comparison with wider figures for children in custody, or for children in the wider community, so clear was the difference in rates between the groups of boys who self-harmed in custody (sample groups B and D), and those who did not. It appeared that the boys who self-harmed in custody were almost twice as likely to have special educational needs as their peers who did not self-harm. Interestingly, their assessors were more likely to know whether SEN existed, which, it could be hypothesized, was because the higher levels of needs of the boys resulted in higher levels of scrutiny and wider assessment. Detailed descriptions of learning needs were rare within the assessments, and furthermore when present generally failed to offer insights into the impact the boys' educational needs had on their lives beyond a school environment. But this was not always the case:

Junior has social communication and social interaction difficulties and is aggressive at times. He does not make friends easily and has difficulty organising himself without support. He has good receptive and expressive language skills but tends to use language for his own needs. He has poor listening skills, is easily distracted and takes time to re-focus...Junior has emotional and behaviour difficulties, and can present as moody and depressed. He finds it hard to cope with change and is not flexible in his thinking. He presents with very challenging behaviour at times and has absconded from home and education, putting himself at risk. He finds it difficult to manage situations on his own, and can become angry and lash out at both adults and children. He finds it hard to acknowledge and take responsibility for negative actions.

Junior had no qualifications, was subject to a care order and had a prolific history of self-harming behaviour both in the community and in custody. The assessor concludes:

The impact of Aspergers and ADHD on his problem solving and emotional understanding puts him at risk of making skewed decisions leading to offending.

4.3.3 Bullying

Guidance for practitioners completing Asset Core Profiles defines bullying behaviour as including ‘name-calling and teasing, physical violence, threats and isolating individuals from group activities.’ (Youth Justice Board, 2000). Experiences of this type of behaviour, either as a victim or a perpetrator, are recorded within the Education, Training and Employment section of the assessment, suggesting that assessments should focus on the educational environment as the setting for such activity. Although this appears to be a potentially limiting approach, it seemed that there was something to be understood from the data collected for the sample group about the boys’ experience of ‘bullying,’ since although a serious negative behaviour, it appeared to warrant consideration outside the sphere of criminal, risk-taking, volatile behaviours which were examined elsewhere in the assessments.

Table 4.20– Percentage of boys in each sample group identified as victims and/or perpetrators of bullying

	Group A	Group B	Group C	Group D
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
Not known to have been a victim or perpetrator	92.9	54.8	56.4	51.5
Perpetrator	3.6	22.6	25.6	27.3
Victim	3.6	16.1	12.8	3.0
Both victim and perpetrator		6.5	5.1	18.2

What the data revealed was a picture of the boys' behaviour which became more complex as their self-harming behaviour became more evident,⁴⁹ with 45.5 per cent of those boys (in sample group D) who self-harmed in both custody and in the community recorded as having been perpetrators or both victims and perpetrators of bullying, compared with 3.6 per cent of those who had no history of self-harm in any setting (sample group A). This finding is convergent with the idea that chaotic, unpredictable behaviour is likely to be a predictor for self-harm, and is supported by qualitative analysis of the cases of boys recorded as both victims and perpetrators of bullying, who self-harmed in both the community and in custody.

All of the boys in sample group D, who self-harmed in the community and custody and who were recorded as being both victims and perpetrators of bullying had previously witnessed or experienced domestic violence, had complex relationships with their mothers and regularly used cannabis to an extent which caused significant concern to assessors. Their self-harm was more likely than most of the other boys in the sample to have been observed regularly before they entered custody, and was particularly noted as taking place when the boys had been in police custody previously. They all had special educational needs, none had any qualifications and they had all been subject to referrals to children's social care.

Jimmy was 16 at the time of his assessment. His circumstances were entirely typical of this group of boys:

Jimmy's substance use remains problematic. He has on several occasions recently returned home, pestered his mother all day for more money and this is all related to his heavy substance use. On 29.07.14, I attended his house to find him incredibly aggressive and experiencing a comedown demanding money from his mother to pay off £5000 drug debt. Jimmy

⁴⁹ The likelihood of self-harm being observed among children in custody is greater than in the community, as is explored in chapter 2.

was requesting that I lock him up in which was clearly a bid to avoid those he owed money to, Jimmy was then assaulted that evening by a bunch of males in relation to this debt.

When in custody for three months, serving a DTO for a breach of his Youth Rehabilitation Order, Jimmy's harmful behaviour began with a number of incidents of property damage and destruction, which then began to merge with self-harming behaviour such as punching walls. After three weeks in custody, his self-harming had become more prevalent and he was involved in seven separate incidents during the period he was in custody, with each episode increasing in severity.

Jimmy's circumstances demonstrate that though his behaviour may have been easily predicted on the basis of what was known about him before he entered custody, the efforts of staff to intervene and prevent him from harming himself were unsuccessful; incident reports talked of actions taken to fix wounds, not to identify the triggers of his behaviour. Examples of the incidents Jimmy was involved in and further custodial context are provided in chapter 6.

4.4 Substance use

On the outside...the inmate could unthinkingly decide how he wanted his coffee, whether to light a cigarette, or when to talk; on the inside, such rights may become problematic. Held up to the inmate as possibilities, these few recapturings seem to have a reintegrative effect, re-establishing relationships with the lost world and assuaging withdrawal symptoms from it and from one's lost self. The inmate's attention, especially at first, comes to be fixed on these supplies and obsessed with them. He can spend the day, like a fanatic, in devoted thoughts about the possibility of acquiring these gratifications or in contemplation of the approaching hour at which they are scheduled to be granted. (Goffman, 1961, pp. 51-2)

When a 19-year-old died in an adult prison in 2011, following a significant period of time in custody in the under-18 secure estate, the Prisons and Probation Ombudsman investigated. Among the many sad findings of the investigation, one, repeated throughout the report, echoed Goffman's analysis of fifty years previously:

...he had made small cuts to his right lower arm. He said he had done this because he was bored and had run out of tobacco...The next day...[he] threw a chair at an officer and was restrained. He also made superficial scratches to his forearm...he said he had been feeling low and anxious and had been thinking of his family. He added that he had run out of tobacco and coffee and could find no distraction from his thoughts. (Prisons and Probation Ombudsman for England and Wales, 2013, p. 17)

This section will explore the high prevalence of substance use among the boys in the research sample, and consider the impact that the removal of these 'fantasy items' is likely to have had on propensity to self-harm in their absence. It will also explore the potential for societal attitudes towards children to colour thinking about the extent to which removal of access to tobacco, drugs and alcohol could impact on the boys' ability to cope with a different surrounding to that which they may have been used to in the community.

4.4.1 Understanding teenage substance use

Official statistics paint an improving picture of teenage substance misuse, identifying legislation and social awareness campaigns as causative of reductions in use and/or abuse of substances. Smoking among teenagers has been decreasing in recent years (Health and Social Care Information Centre, 2014) with 15 per cent of 16 to 19-year-olds in 2012 recorded as smoking cigarettes. In 2000, the proportion was closer to 30 per cent in this age group. Regular consumption of alcohol among 16 to 19-year-olds has also reduced over the past fifteen years, falling from 13 per cent of boys in 1998 who drank alcohol on five or more days

each week to 2 per cent in 2013. (Hagell et al, 2015)

It is accepted that findings in relation to teenage drug use are not consistent (Hagell et al, 2015), but the Home Office (2015a) reports that in 2014-15 19.4 per cent of 16 to 24-year-olds had taken an illicit⁵⁰ drug in the past year, and that 10.2 per cent had taken an illicit drug in the past month. Cannabis was the most commonly used drug among people of all age groups, with 16.3 per cent of 16 to 24-year-olds having used it within the past year; 22.6 per cent of males aged between 16 and 19 had used drugs in the past year; and 5.1 per cent of 16 to 24-year-olds were described as being frequent⁵¹ drug users.

4.4.2 Substance use among children in the youth justice system

Two key snapshots of data relating to the use of substances by children in the youth justice system were taken in 2002 (Baker et al) and 2010 (Jacobson et al). Both studies used comprehensive Asset data to identify substance use among children, albeit at potentially at different points in the youth justice system. The data is shown for comparison at Table 4.21 (overleaf).

Substance use among the group of sentenced children sampled in 2010 was almost universally higher than for children in the wider youth justice system in 2002, most markedly in relation to cannabis use. It is likely that while some of the difference in data can be attributed to the more complex needs of individual children at the most serious end of the youth justice system, it is also likely to be reflective of a trend among children in a part of society where multiple disadvantage (often contributing to the complex needs of individuals) is prevalent.

⁵⁰ Illicit drugs are defined by the Crime Survey for England and Wales as those classified under the Misuse of Drugs Act (as at 2015) (Home Office, 2015b). They do not include alcohol or tobacco use.

⁵¹ Frequent use refers to any use of any drug more than once a month in the past year.

Table 4.21 – Children in the youth justice system - substance use from Asset data, 2002 and 2010

	2002 – n3395 Assessments (any part of the YJS)*		2010 – n3151 Assessments (children sentenced to custody only)**	
Substance	Ever/Recent use	Not known to have used	Ever/Recent use	Not known to have used
Tobacco	74%	26%	77%	17%
Alcohol	73%	27%	79%	15%
Solvents	12%	88%	12%	73%
Cannabis	46%	54%	71%	25%
Ecstasy	10%	90%	23%	63%
Amphetamines	10%	90%	12%	74%
Cocaine	8%	92%	20%	66%
Heroin	6%	94%	3%	81%

* Baker et al (2002)

** Jacobson et al (2010)

Table 4.22 - Percentage of boys in the research group who had used substances recently or in the past

Substance	Ever used*	Recent use	Not known to have used
Alcohol use	88.4	58.7	11.6
Tobacco use	91.0	76.3	9.0
Solvent use	11.4	4.0	88.6
Cannabis use	91.9	80.2	8.1
Class B drug use (other than Cannabis)	27.3	10.7	72.7
Class A drug use	44.2	21.4	55.8

* Figure presented equates to the sum of the number of boys who were recorded as having ‘recently’ or ‘ever’ used each substance

Substance use among the boys in the research sample was clearly far more

common than in the wider population in the same age group, and more common than in the group of children sampled in 2010, as shown in Table 4.21. The vast majority of the boys had recently used alcohol, tobacco and/or cannabis, and nearly half (44.2 per cent) had used a class A drug at some point in their lives. This is contrary to the trends in the general population identified at the start of this section.

Table 4.23 – Percentage of boys in each sample group recorded as having substance use with a detrimental effect on education/ relationships/ daily functioning

	Group A	Group B	Group C	Group D
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
Don't know	8.1		5.0	5.3
Yes	40.5	38.2	57.5	47.4
No	51.4	61.8	37.5	47.4

Just under half the boys in the research sample (46.3 per cent) were recorded as using substances in a way that was having a detrimental effect on their education, relationships and/or daily functioning. Those boys who had a history of self-harm in the community (sample groups C and D) were more likely than the other two sample groups to engage in this sort of detrimental substance use, in a trend which reads as an unspoken subtext of substance use as self-harm within the assessments, extending through almost all categories of substance use.

Table 4.24 – Percentage of boys in each sample group recorded as having used alcohol

	Group A	Group B	Group C	Group D
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
Not known to have used	18.4	16.7	2.4	10.3
Ever used	81.6	83.3	97.6	89.7
Recent use	57.9	55.6	61.9	59.0

Table 4.25 – Percentage of boys in each sample group recorded as having used tobacco

	Group A	Group B	Group C	Group D
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
Not known to have used	12.8	8.3	7.1	7.7
Ever used	87.2	91.7	92.9	92.3
Recent use	79.5	75.0	81.0	69.2

In relation to tobacco and alcohol use, the greatest difference in reported use across the four sample groups was in relation to alcohol use between those who had never been known to self-harm (sample group A) and those who self-harmed in the community but not while in custody (sample group C). However, the difference was not notable in relation to recent use and did not lead to any significant findings. Alcohol and tobacco use was frequently described as an almost acceptable part of the boys' behaviour, with a fairly high threshold considered before it was seen as truly problematic.

Kyle was remanded to custody for nearly three months when aged 17, having been accused of burglary of a house on New Year's Eve. Nothing problematic was identified in relation to his substance use:

Kyle started smoking cigarettes from around 12 years of age and currently smokes approximately 10 cigarettes a day. He does drink alcohol but not to what he considers to be excess and when he does it is usually cans of lager or vodka. Kyle has tried smoking cannabis in the past but it is not something that is part of his usual habit. He denies taking any other form of illegal substances or drugs. However, he was recently stopped and searched and found to have on his person a some (sic) amount of cocaine. Kyle denies it was his but belonged to a friend. I do not necessary believe this statement and suspect that he does use illegal substances on occasions but there is no evidence of consistent use.

Class A drug use

Table 4.26 – Percentage of boys in each sample group involved in class A drug use

	Group A	Group B	Group C	Group D
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
Not known to have used	79.5	57.1	47.6	39.5
Recent use	7.7	20.0	21.4	36.8
Ever used	20.5	42.9	52.4	60.5

None of the boys in the research sample was described as using drugs or other substances as a form of self-harm. However, those who had some history of self-harm (sample groups B, C and D) were between twice and three times as likely as the other boys in sample group A to have ever used class A drugs (most commonly cocaine). Boys who self-harmed in both the community and custody (sample group D) were nearly five times more likely to have recently used a class A drug than those in group A, who had no history of self-harm.

Table 4.27 – Percentage of boys in each sample group engaged in class A drug use described as risky

Sample group		Ever/Recent use and Risky	Ever/recent use and Not Risky
A	No SH in the community, No SH in custody	0	100
B	No SH in the community, SH in custody	31	69
C	SH in the community, No SH in custody	50	50
D	SH in the community, SH in custody	36	64

Assessors were asked to identify drug-using practices which put users at particular risk. This was defined in guidance as follows:

Methods of substance use that place the young person at particular risk include injecting, sharing equipment and poly drug/alcohol use. Any occurrence of blackouts, overdosing or withdrawal symptoms will also be of significant concern. (Youth Justice Board, 2000, p. 12)

None of the boys (sample group A) without a history of self-harming behaviour, but who had used class A drugs, was recorded as having used drugs in a particularly risky way, which needed to be considered within the context of practitioners' perceptions about what problematic substance misuse looked like (as explored above). On closer inspection of the accompanying narrative, this assessment often appeared to arise as a result of the YOT worker not having a clear picture of the current drug use, rather than having confidence that it was not risky:

Regular cannabis and alcohol use. Not sure if he is using other substances (e.g. methadone - meow). Key factor - Chris's current offending is a directly linked to drug use and need to buy drugs...

Chris using a large number of different drugs prior to being remanded. Chris reported using substances to block out negative emotions. Alcohol played a part in the assault on the foreign security guard.

And,

Tyler disclosed that he tried cocaine for the first time on the night of the offence which indicates a direct correlation between this and Tyler's decision making. Tyler has disclosed previously that he believes he has his cannabis use under control, although in interview he states he becomes stressed if he does not have cannabis daily. Tyler also claims he cannot obtain cannabis at his care home and therefore has to travel [elsewhere] to obtain it. It would seem that by his own admittance, he is developing a habit to cannabis and this have impacted on his ability to sustain college. Tyler has been accused of stealing several items from the [care] home and they believe this is due to his cannabis use.

It seemed likely that cautious assessments of the level of risk involved in the boys' drug use was linked to their presentation with lower levels of risk than other boys in similar circumstances, rather than an objective and isolated assessment of the particular behaviours. Bradley is described as having a 'nihilistic and egocentric view of life,' which is perhaps why his drug use is recorded as risky despite, objectively, not appearing to be as prolific or ingrained as Chris or Tyler's:

It is now strongly suspected (and admitted to some extent) that he has resumed smoking cannabis and occasionally taking cocaine since release in Feb 14. It has historically been difficult to engage Bradley about the causes of his offending and it therefore remains something of a guess about whether, or to what extent, the need to sustain or support his level of substance misuse has driven his acquisitive offending.

Cannabis use

Stories about problematic cannabis use were more frequent within assessments than those about other substances, which was unsurprising given the prevalence of cannabis use among the boys in the research group. While not always being linked to offending behaviour, cannabis use was clearly of concern to some, but not all assessors, particularly in relation to the physical and mental health implications of the very regular use described by a number of the boys:

Recent offence involved Paul taking Diazepam stating that he has taken them daily since his release from hospital. He said that he has also been smoking a lot of cannabis daily because he feels he copes better. Paul tells me he has been smoking for around 2 years and smokes around 10 cigarettes a day. He disclosed that he does drink alcohol, but not much and not very often. He said he does smoke Cannabis and has admitted to taking sleeping tablets and he was under the influence when this burglary was committed... Another referral [to substance misuse services] was [made],

due to Paul clearly developing a pattern of using drugs as an emotional crutch leading to both offending and health issues. A score of 4⁵² has been given due to him smoking from such a young age, also committing the index offence whilst under the influence of sleeping tablets (Benzodiazepine). As mentioned above, Paul has an increasing propensity to use various legal and illegal substances to cope with presenting issues in his lifestyle... Paul took a serious overdose of up to 60 tablets, these being paracetamol and propranol (beta blockers) [which] resulted in him being very close to a liver transplant.

Some boys had clear insights into the importance of using cannabis to regulate their moods, feelings or behaviour. Cannabis use was frequently cited as an alternative to medication for diagnosed Attention Deficit Hyperactivity Disorder (ADHD) where boys did not 'get on' with their prescribed medication.

Jared referred to drink and drugs as 'the only thing I have got.' He described needing substances to escape. He acknowledged that he needs to better understand his limits, and that if life was better he might try and cut down/stop. On the SQIFA⁵³...Jared stated that he sometimes thinks alcohol takes over his life/ usage is out of control and that he often thinks that cannabis takes over his life/ usage is out of control. He acknowledged that the thought of not using cannabis makes him feel worried/angry/depressed.

Jared was in custody for 90 days, recalled from a previous ten month sentence for offences including theft of alcohol and assaulting his ex-girlfriend and her new partner while he was intoxicated. His risks were recognised by his YOT worker, who referred him to serve his sentence in a specialist YOI unit, and were realised, when after 17 days in custody he made scratches to his body after a difficult

⁵² A score of 4 in a section of Asset indicates the highest level of linked risk between the behaviour being assessed and offending.

⁵³ The SQIFA is a mental health Screening Questionnaire Interview For Adolescents.

phone call to a friend.

Jared's situation was common among the boys in the research sample. Descriptions of frequent – often daily – use of cannabis, less frequent but excessive alcohol consumption, dangerous use of prescription medication and daily smoking appeared time after time in the assessments. The links with offending or health concerns, and the boys' own perceptions, were the variable factors.

Louis has said that he does not consider that he has any problems with drugs or alcohol. He reports that he smokes tobacco on a daily basis, up to 20 cigarettes a day. Louis said that he drinks alcohol approximately 3 times per month at parties. He reported that he could drink up to a bottle of vodka in an evening....

Louis's tobacco use is likely to have a detrimental effect on his health. His previous report of infrequent, but significant volume of alcohol consumption is likely to be having an impact on his health. Otherwise Louis appears to be in good physical health... I have concerns that Louis may have an impaired memory. This may be due to previous heavy cannabis use.

Despite this narrative assessment, the YOT worker completing Louis's Asset finds that his drug use is not risky, not detrimental to his education or relationships, not linked to his offending and is not having an impact on his health. Such divergence was not uncommon within the research sample and suggested a tacit acceptance of behaviour posing clear risks to the health and wellbeing of children. It seemed from reading the assessments that 'everyone was doing it.' The national statistics would suggest otherwise, and when compared with the research findings offer an alternative possibility – that assessors have become anaesthetised to the extent to which the children they are assessing are not behaving like their peers in the wider population. This higher threshold of acceptability seemed to apply to other areas within the assessment, including

education and care arrangements.

Table 4.28 – Percentage of boys in each sample group who have used cannabis

	Group A	Group B	Group C	Group D
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
Not known to have used	14.0	4.5	11.1	2.5
Recent use	72.1	88.6	82.2	77.5
Ever used	86.0	95.5	88.9	97.5

The boys with a history of self-harm in the community who also self-harmed in custody (sample group D) had the highest recorded use of cannabis, with 97.5 per cent having ever used the drug. The highest level of recent use, however, was among the group of boys who had not self-harmed in the community but who did when in custody (sample group B); 88.6 per cent were recent cannabis users compared with 72.1 per cent of boys with no history of self-harm, and 5.1 per cent of boys aged 16-19 in the general population.

Goffman's description of books and films as 'fantasy materials' which allow 'inmates' to escape the reality of their imprisonment could easily be transposed on to the lives of the boys in the research sample, who were using substances in the community in order to 'escape' the reality of their difficult and chaotic lives. The links that the boys were able to make themselves between (particularly) cannabis use and feeling relaxed, or able to sleep, provided a clear signpost to the impact such tools no longer being available would have.

Whether drug use was considered to be a coping mechanism or a form of self-harm (it could be both, or neither), there appeared to be an inverse relationship between its availability to boys and their engagement in more typical forms of self-harm, which was not recognized as a linked risk factor by assessors: twenty-eight of the thirty-two boys who self-harmed in custody after not having displayed

self-harming behaviour in the community were recorded as recently having used cannabis. Only two of these boys were assessed as being at risk of self-harming behaviour.

4.5 Health

This section is concerned with issues relating to the physical and mental health of the boys in the research sample. Asset provides a number of opportunities for concerns about risk and vulnerability in a number of different contexts to be described and explored, and this will be considered in chapter 5.

A key document cited as the ‘case for change’ in the healthcare offered to children in custody explains:

There is a lack of data on the range and extent of physical health problems among children and young people in contact with the [Youth Justice System]. This is so for children and young people both in the community and in custody, despite the growing knowledge base about the extent of mental health and substance misuse problems among those in custody. An early review of the health problems of 16-24 year-olds in custody noted that, overall, they had greater health problems than their peers but had received less in the way of health promotion, screening, preventative and early intervention services. (Ryan and Tunnard, 2012, p. 5)

This finding was certainly reflected in the analysis of information in the Asset documents for the boys in the research sample, who generally did not appear to have been assessed at any depth in relation to their physical health and only slightly more for their mental health. It is of note that when profiling children in custody, Jacobson et al (2010) did not refer to issues of physical health in their final report.

4.5.1 The distinction between ‘physical’ and ‘mental’ health

‘Reece’s ADHD has a significant affect upon his decision making, consequential thinking and processing capabilities.’

Herein lies one of the inherent flaws in the Asset assessment as informative to staff seeking to provide care for children in custody: because matters of physical health did not frequently appear to impact directly on an increased likelihood of reoffending, supported by Baker et al, (2002) they were not prioritised by assessors (Ryan and Tunnard, 2012), who themselves may not have felt qualified to describe or analyse the impact of any known health conditions or issues. For example:

Doug suffers from ADHD and is currently in receipt of disability living allowance. Due to this condition Doug is required to take 50mg of Methamphetamine Hydrochloride Methalanadate (not 100% sure of medication information from young person only) medication daily to balance his behaviour. Research regarding this condition appears to be split regarding if it is a mental or physical disability.

Section seven of the Asset Core Profile is entitled ‘Physical Health’ and poses questions about health conditions and problems under that heading, before moving to a separate section about ‘Emotional and Mental Health.’ However, the boundaries between matters of physical and mental health are, and should be, blurred (Kendell, 2001), and it is perhaps for this reason that issues of ‘physical’ health have taken a back seat to both issues of emotional or mental disorder and behavioural concerns in youth justice research to date; these are issues more likely to be of concern in the young, who are not as prone to physical ailments or disabilities as adults. In any case it seems that there is a general failure to recognise physical health as an issue in children and that this failure may have direct consequences for the recognition of links between physical ill-health and offending.

Baker et al's findings in 2002, identified that 8 per cent of 3,395 children whose Asset Core Profiles were analysed had (under the heading 'Physical Health') a 'health condition which significantly affects every day life functioning.'⁵⁴ Among the boys in the research group for this study 15.7 per cent (n24) were recorded as having a health need impacting on everyday life functioning. The numbers of boys involved did not lead to any useful findings when they were broken down within the four research sample groups but were worthy of some further exploration in their own right.

Of the twenty-four boys, information was provided about health condition in twenty-one cases, revealing that ADHD (including one boy who had Asperger's Syndrome, Autism and ADHD) was the health concern in eleven of the cases. For three boys, their daily lives were impacted by health concerns related to their drug use; the remaining seven boys suffered from the following (respectively):

- Hearing difficulties
- Post-traumatic stress disorder (undiagnosed but suspected by the YOT worker)
- Anger issues
- Psychiatric disorder
- Nephrotic syndrome (related to kidney function)
- Fractured toe

The prevalence of ADHD as the diagnosed health concern was not surprising, but threatened to paint a skewed picture of the prominence of ADHD across the whole research sample. Quantitative data was not collected in relation to ADHD (as it was not a specific question within Asset), but it was noted that the vast majority of boys in the sample group were recorded as having a diagnosis of ADHD, although it was not routinely logged as a physical health condition

⁵⁴ Defined in Asset Guidance as including '...ongoing conditions such as epilepsy or diabetes, temporary conditions such as pregnancy or broken bones; mobility, sensory or communication impairments, or other illness or injury. The emphasis here is not on the nature of a condition, but the impact it has on his/her everyday life.' (Youth Justice Board, 2000, p.13)

affecting their everyday lives. Sometimes the disorder was mentioned in relation to special educational needs, sometimes as a mental health issue and sometimes, as with the boys above, it was perceived as a physical health issue. It is unclear whether such divergent approaches impacted upon the support and treatment that the boys received, but it did go some way to explaining the difficulties in researching this area.

4.5.2 ‘Other health problems’

Although only a small proportion of the boys in the research sample were recorded as having a life-impacting physical health condition, 45.9 per cent (n68) of the boys for whom information was available were noted within the Physical Health section of Asset as having ‘other health problems,’ such as ‘prescribed medication, binge drinking, obesity, poor diet, smoking, hyperactivity, early or late physical maturation)’ (Youth Justice Board, 2000), and 31.5 per cent of the boys were recorded as having put their health at risk through their own behaviour, ‘e.g. hard drug use, unsafe sex, prostitution’ (Youth Justice Board, 2000). The positive response rates for both questions were surprisingly low because in the case of the former category, it was known that 76 per cent of the boys had recently smoked, and in relation to the latter, the Assets reported that 46.3 per cent of boys were involved in drug use detrimental to their daily functioning, with 44.2 per cent having used class A drugs. This apparent contradiction in recording against guidance supported the suggestion advanced in section 4.6 that practitioners were somewhat conditioned to believe that smoking and drug use were, to some extent, acceptable practices among the boys they were assessing.

4.5.3 Mental health

‘ADHD was diagnosed by CAMHS in 2008 and Jimmy was medicated at that time, however he has not been medicated since October 2013. There have also been historical CAMHS involvements in relation to self-harming by Jimmy.’

Confusion about how to categorise behavioural disorders like ADHD may provide a partial explanation for the disparity between the number of boys recorded as having received a formal mental health diagnosis – 13.8 per cent (n21) – and the number of boys who had been in contact with or referred to mental health services, which was 68.2 per cent (n101).

Further exploration of the narrative assessments supporting the tick-box responses identified that another likely contributor to the difference between the numbers was the failure of boys to attend appointments with mental health professionals they were referred to, and therefore the failure to receive a diagnosis.

Among the two groups of boys who self-harmed in custody, 19.5 per cent had a formal mental health diagnosis, compared with 2.4 per cent in the group of boys who had no history of self-harm. The proportion of boys who had self-harmed either in custody or in the community, but not both, was the same (15 per cent), which was an important finding when compared with mental health referral figures, which are shown below at table 4.30.

Table 4.29 – Percentage of boys in each sample group recorded as having a formal mental health diagnosis

	Group A	Group B	Group C	Group D
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
Formal mental health diagnosis	2.4	15.2	15.0	23.7
No mental health diagnosis	97.6	84.8	85.0	73.7
Don't know				2.6

Table 4.30 – Percentage of boys in each sample group known to be in contact with or referred to mental health services in the community

	Group A	Group B	Group C	Group D
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
In contact or referred to mental health services	48.6	57.6	80.0	84.2
No contact or referral to mental health services	51.4	42.4	20.0	15.8

As Table 4.30 shows, of the boys who had a history of self-harm in the community (from sample groups C and D), more than 80% had been in contact with or referred to mental health services, which was perhaps to be expected in light of their known self-harm issues. However, the proportion of boys who had not been known to self-harm in the community, but went on to do so in custody was lower, at 57.6 per cent, despite, as is shown in Table 4.29, their being as likely as boys who self-harmed in the community to have a formal mental health diagnosis. This could have been as a result of referrals made in relation to self-harming behaviour not leading to a diagnosis for children.

Ultimately, it became clear that the findings in relation to the four sample groups were less relevant than consideration of the whole group of boys diagnosed with mental health conditions, particularly in the context of the information contained in the physical health section which preceded the mental health assessment in Asset.

Theories relating to confusion about categorisation of ADHD were fully supported by the evidence when the diagnosed conditions of the boys identified as having diagnosed mental health conditions were explored further. First, only three of the boys noted as having a health issue which significantly impacted on their everyday lives were also included in the group of boys who had a mental health diagnosis. Of these three, two had received a diagnosis of ADHD and the

remaining boy was suspected by his YOT worker of having undiagnosed PTSD. Of the remaining eighteen boys where a health issue significantly impacting on everyday life was identified, twelve had ADHD, of whom eight had additional learning difficulties or disorders (such as Attachment Disorder, Conduct Disorders, Oppositional Defiance Disorder (ODD)). Three further boys had been diagnosed with depression, one boy with Hyperkinetic Conduct Disorder, one with ODD, one with Attachment Disorder and drug-induced psychosis (this boy was described as 'physically healthy,' a statement which compounded concerns about the differentiation drawn between physical and mental health). The final boy in the group was thought to have an emerging personality disorder in addition to his ADHD and ODD.

A very common feature in all of the boys' cases was the difficulty experienced in treating them either with therapeutic support or medication. For example:

Karl has a previous diagnosis of ADHD, Attachment Disorder and PTSD (according to Whitestone Clinic) and was prescribed Ritalin and Melatonin. However he stopped taking these when he reached his teenage years. Karl was assessed by a Psychiatrist whilst on the [specialist custody unit within a YOI], who advised that Karl's health was due to his behaviour and not any mental illness. He was prescribed Fluoxetine as an 'anti-depressant'. Since release, the YOS Health Practitioner has been concerned about Karl's presentation and he made an appointment for Karl to see his GP and also spoke with the Crisis Team who would not accept a referral at that time. Karl has been assessed by psychiatrists since release and there has not been any formal diagnosis of mental illness.

A recurring theme of children using illegal substances to treat known health conditions was also observed:

Kris has previously been diagnosed with depression...Although Kris was formally diagnosed he felt his medication did little to help and thus sold

his medication for other substances such as Cannabis and MKAT which he felt would respond better to his state of mind.

Either because of their chaotic lifestyles, or because they did not like the side-effects, boys were often not taking prescribed medication reliably, or attending appointments for therapeutic treatments:

Daniel was initially referred to the Child and Adolescent Mental Health Service (CAMHS) at the age of nine due to behavioural problems at home and in education. He has subsequently been diagnosed with 'Hyperkinetic Conduct Disorder' for which he is prescribed Concerta XL (calming medication)...Daniel takes his medication sporadically and claims that its affects have caused him to feel too lethargic to get up for school.

Ahmed was diagnosed with ADHD by [a doctor at hospital] during 2007/2008. However he stopped taking his medication because it was making him feel sick and giving him headaches. Ahmed has previously failed to engage with CAMHS.

Confusion about the difference between symptoms and causes seemed to have an impact on the availability of treatment. In Matt's case, his behavioural issues (as opposed to clinical symptoms) were threatening to result in him being discharged from mental health support:

Matt has been diagnosed with Attention Deficit Hyperactivity Disorder and Oppositional Defiant Disorder, which is being treated by prescribed medication however these meds were interfering with his sleep so Matt stopped taking them which seemed to negatively affected his behaviour. I am also aware that CAHMS are considering discharging Matt from their service as Dr... is of the opinion that Matt's behaviour is not linked to his ADHD but is simply behavioural issues.

It was common for children to be discharged from health treatment services as a result of their non-attendance. In such cases there was never a description of what efforts might be made to re-engage the child or to offer alternative support:

Nate is current on prescribed anti-depressants Metazapene and is registered with Donald Wild Medical Centre he is required to meet with them fortnightly to assess his mental health as he has been closed to Mental Health Services as he has missed appointments. He is only prescribed 7 tablets a week to ensure he does not overdose and must order a repeat prescription each week. Nate is not taking these on a regular basis and has failed to attend numerous doctor's appointments.

In Gary's case, the difficulties in treating his health (if this was the right description) issues appeared to be complex, and the failure to categorise his behaviour as resulting from a mental health condition appeared to threaten attempts to meet his needs and prevent him from doing harm.

Gary had a full [mental health assessment]...It indicated an emerging personality disorder with narcissistic traits and he scored the highest possible indicators for a youth on the Psychopathy scale.... Due to his age he is not defined as having a treatable mental illness and there is a reluctance to label him within a clear M/Health category.... There have been further self harm incidents in early Feb at [a secure children's home] but these were believed to have been manipulative and have not been repeated since.

Although the self-harm attempts were not repeated during the time Gary spent in a secure children's home, he was involved in 28 incidents, most involving serious self-harming or suicide attempts, while at a YOI. Gary's experience demonstrated an issue observed by the author in a number of cases of children who appeared to fall between the cracks of justice and mental health secure provision, and where a reluctance to diagnose or label conditions had the unintended consequence of

denying the child treatment for often extreme and dangerous symptoms.

After spending 261 days in a YOI, Gary was transferred to a secure hospital, where, having turned 18, his emerging personality disorder could be formally diagnosed and treatment could begin. It is not known whether this approach brought about a change in Gary's propensity to self-harm but it seems clear that the inability of professionals to 'label' and therefore appropriately treat his dangerous (to himself and others) behaviour prior to the age of 18 was based on a somewhat arbitrary and possibly bureaucratic approach which focused more on his diagnosis than his symptoms – a problem underlying the difficulties in supporting a number of the boys in the research group, whose symptoms (whether physical, mental or behavioural) frequently appeared to be at the root of the recklessness that led them to commit crime in the first place, and in a number of cases also contributed to their likelihood of self-harming.

Chapter 5: Findings from Asset – thinking, risk and behaviour

This chapter explores the information provided within the Asset assessments which related to the boys' thoughts, risks and actions. The previous chapter was primarily, but not exclusively, concerned with the external factors which shaped the boys; this chapter looks at how those external factors manifested in the way the boys in the research sample perceived themselves and the wider world, and how they operated within it.

5.1 Attitudes, thinking and behaviour

In addition to areas for recording formal physical and mental health diagnoses, Asset includes a number of opportunities for practitioners to record more subjective judgements about the characteristics and behaviours of the children they are assessing; it asks assessors to weight and rate the positive factors in children's lives and to describe the characteristics and self-perceptions that may contribute to offending risks.

5.1.1 Perception of self and others

Asset asks practitioners to respond to six statements in relation to children's perception of themselves or others, in order to 'highlight cases where a young person is experiencing particular difficulties...more so than the average adolescent...' (Youth Justice Board, 2000a, p. 16). Detailed consideration of the construction of the Asset assessment framework has not been within the scope of this study because Asset is (at the time of writing) being replaced with a new assessment framework. However, it is notable, in a negative sense, that the statements about children's self-perceptions are all posed in negative terms:

1. S/he has difficulties with self-identity
2. S/he has inappropriate self-esteem

3. S/he has a general mistrust of others
4. S/he perceives him/herself as being the victim of discrimination
5. S/he displays discriminatory attitudes towards others
6. S/he perceives him/herself as having a criminal identity (Youth Justice Board, 2000b, p.15)

Table 5.1 – Perceptual concerns displayed (percentage of ‘yes’ responses within each sample group)

	Group A	Group B	Group C	Group D
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
Four or more perceptual concerns	16.3	18.2	30.4	33.3
Difficulties with self-identity	37.8	38.2	62.5	57.9
Inappropriate self-esteem	64.9	50.0	70.0	60.5
General mistrust of others	48.6	50.0	50.0	55.3
Perceives self as victim of discrimination or unfair treatment	40.5	41.2	47.5	52.6
Displays discriminatory attitudes towards others	24.3	35.3	27.5	31.6
Perceives himself to have criminal identity	32.4	32.4	57.5	47.4

As Table 5.1 demonstrates, there was a stark difference (not repeated as clearly in any other analysis in the study) in the proportion of boys who were assessed as displaying evidence of four or more of the six perceptual concerns, which was divided between those who had a history of self-harm in the community (sample groups C and D) and those who did not (sample groups A and B).

Seventeen per cent of boys in groups A and B, with no history of self-harm in the community displayed four or more negative self-perception traits, compared with 32 per cent of boys in groups C and D with a history of community self-harm. When the proportion of boys in each of the four groups who displayed each

individual characteristic was analysed, it was clear that the greatest difference between the two aggregated groups was in relation to difficulties with self-identify and self-perception of a criminal identity (which may have been linked in the eyes of many assessors). Low self-esteem is a known risk factor among boys who self-harm, particularly when combined with higher than normal levels of impulsivity (Hawton et al, 2002, p. 1211), but Asset does not explicitly require practitioners to identify whether 'inappropriate' self-esteem is characterised by a lower or an inflated sense of self when compared with the average, so it was not possible to test the research sample against this finding. However, although the proportion of boys who displayed inappropriate self-esteem with no recorded impulsivity was the same across the four sample groups, the proportion of boys who were recorded as having inappropriate self-esteem and impulsivity was 23 per cent higher in the community self-harm groups (C and D) than in the two groups (A and B) of boys who had not self-harmed in the community. The lowest correlation between these two characteristics occurred in group B: the boys who had no community self-harm history but who did go on to harm themselves in custody – further supporting the argument that these boys were likely to present with risk factors atypical of those who had a previous history of self-harm.

Analysis of the narrative supporting assessments resulted in a finding that those boys from sample groups C and D who had self-harmed in the community *and* who displayed both inappropriate self-esteem and impulsivity were frequently described as 'aggressive,' 'reactive' and 'unpredictable.' Their behaviour towards others and their known self-harm was characterised as being in response to issues about control, or dissatisfaction with the outcome of a situation, particularly when it involved other people. Moreover, their known self-harming behaviour commonly took the form of beating solid objects (as opposed to cutting, overdosing, or ligaturing which appeared – unsurprisingly given the easier access to the tools to enable such behavior - to be more common overall within the community setting). These types of self-injurious violent outbursts seemed to be more prevalent among boys with particular issues with self-perception.

...arguments [in the family home] have led to Charlie feeling either quite low and distressed or angry and frustrated. During an aggressive outburst prior to custody, Charlie punched a microwave which resulted in him cutting his finger, this could be considered as a form of self-harm.

[Wayne] punched a hole in the...placement wall...he has kicked a table across a room... he seems to consider it his right to destroy things if he doesn't get his own way. Most of his behaviour has been because people wouldn't give in to what he wanted, as well as the fact that he didn't want to obey the rules...

Toby has demonstrated poor emotional regulation at times of stress/when he feels he is losing control. This is displayed by assaulting others (putting him at risk of repercussions) and from head banging and punching himself.

5.1.2 Negative attitudes towards offending

In addition to the recording of perceptual concerns, Asset asks practitioners to note areas concern related to thinking, attitudes (particularly towards their offending) and behaviour.

Assessors are asked to record the child's attitudes towards their most recent offending, or past offending if it is thought to be particularly relevant (Youth Justice Board, 2000a). A 'yes,' 'no' or 'don't know' response can be recorded against any of the following attitudes:

1. Denial of the seriousness of his/her behaviour
2. Reluctance to accept responsibility for involvement in most recent offences
3. Lack of understanding about the impact of his/her behaviour on

victims (if victimless, on society⁵⁵)

4. Lack of remorse
5. Lack of understanding about impact of his/her behaviour on family/carers
6. A belief that certain types of offences are acceptable
7. A belief that certain people/groups are acceptable 'targets' of offending behaviour
8. S/he thinks that further offending is inevitable (Youth Justice Board, 2000bp. 17)

For the purposes of this study, a score noting how many 'yes' responses had been given against the eight attitudes was recorded for analysis. The data are set out at Table 5.2.

Table 5.2 – Percentage of boys in each sample group recorded as having 0-8 different negative attitudes towards offending and mean average number within each sample group

	Group A	Group B	Group C	Group D
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
0	26.7	34.1	15.2	23.8
1	6.7	15.9	8.7	7.1
2	4.4	2.3	13.0	7.1
3	8.9	4.5	6.5	9.5
4	13.3	6.8	15.2	4.8
5	17.8	18.2	8.7	21.4
6	6.7	9.1	10.9	14.3
7	11.1	6.8	15.2	7.1
8	4.4	2.3	6.5	4.8
Average score	3.4	2.7	3.8	3.5

⁵⁵ The concept of 'society' must be considered in the context of children's understanding here. Oscar Wilde, in a letter to the Editor of the Daily Chronicle, in which he was complaining about a prison warden being dismissed for giving sweets to a child inmate made the following observation on this point: *'A child can understand a punishment inflicted by an individual, such as a parent or guardian, and bear it with a certain amount of acquiescence. What it cannot understand is a punishment inflicted by Society. It cannot understand what Society is. With grown people, it is, of course, the reverse.'* (Wilde, 1898, p. 3)

Children who had not self-harmed in the community but who had in custody were recorded as having the lowest average number of negative attitudes towards offending. The highest average score was held by the boys who had a history of self-harm in the community but did not go on to self-harm in custody (sample group C). This group also had the lowest proportion of zero negative attitudes towards offending and the highest percentage of eight (the highest number possible). These results correlated with the findings in relation to the groups of boys least and most likely to perceive themselves as having a criminal identity (see Table 5.1, above). One hypothesis – supported by findings in other parts of the study – with the potential to explain this was that the boys who were not known to have self-harmed before entering custody but who did so when they were there were less ingrained in criminal lifestyles, had a lower resilience to the challenges of custody and had greater pro-social support networks outside custody. It is also possible that the characteristics of the community lives of those boys who did not self-harm in custody but who had in the community, made them more resilient to the challenges of custody: with one exception, all the ten boys in sample group C who displayed seven or eight negative attitudes towards offending had lives in the community characterised by chaotic, changeable living arrangements and poor relationships with their parents and families which were likely to make their removal to custody less of a wrench. For example, only one of the ten boys was living with his mother. Of the four boys in the sample group (group B) with the lowest number of negative attitudes to offending, only one *wasn't* living with his mother before going to custody.

To understand further whether the hypothesis that better family support made self-harm in custody more likely could be supported by information in other areas of the assessment, the number of 'positive family' factors attributed to boys across the four sample groups was examined. The possible positive family factors that assessors are asked to record (as 'current' or 'potential' factors in the child's life) are as follows:

1. Strong, stable relationship with at least one parent or other family member

2. Parent/s or carers who value education/training/employment
3. Family members or carers who model pro-social behaviour and norms (Youth Justice Board, 2000b,p. 21).

The proportion of boys who were assessed as having all three positive family factors present in their lives was highest (at 30.3 per cent) in group B, who did not self-harm in the community but had self-harmed in custody, and lowest (at 22.5 per cent) in group C who self-harmed in the community but not in custody, suggesting some support for the theory outlined above. However, this evidence requires a caveat, in that the narrative information provided in the Asset did not always seem to correlate with the finding of multiple positive family factors. Brodie, for example, was assessed as having all three positive family factors present in his life, despite the following description of his father (who Brodie was living with), which strongly suggested otherwise:

Brodie's Father has served 5 years in prison for drug offences and there were concerns that Brodie was drug running with his Dad...I am aware that there is a history of DV⁵⁶ with Dad being the perpetrator towards Brodie's Mother. Brodie 'looks up to Dad and wants to be like him' and as such, Brodie does not seem to have much respect for his Mother and speaks to her quite badly...[during] a further [interview with the YOT worker] Brodie's Dad spoke very unkindly to Brodie and at one point threw a mobile phone at him!! This has not been reported to Social Care.

The guidance provided to assessors recognised that there was the potential for views (between children and professionals) in this area to diverge, but did not suggest that the assessment against the listed factors should be anomalous with the evidence:

As with the rest of the Asset profile, this section is asking for your

⁵⁶ Domestic violence

assessment of the positive factors in the young person's life. This may differ from the young person's perception and you may wish to use the evidence boxes to elaborate on the reasons for this. (Youth Justice Board, 2000a, p. 23).

5.1.3 Behaviour

The perceptions of assessors about the thoughts, attitudes and beliefs of the boys were (as is described in chapter 3) prone to additional subjectivity and interpretation based on their own world-view and bias (Munro, 2011). Where this should have been less evident (because judgements should be more evidence than opinion based) was in the section of the Asset where concerning behaviours were identified. Four key areas of behaviour were identified as having the potential to contribute to children's offending. These were:

1. Destruction of property
2. Aggression towards others (e.g. verbal, physical)
3. Sexually inappropriate behaviour
4. Attempts to manipulate/control others (Youth Justice Board, 2000b, p. 16)

Table 5.3– Types of negative behaviour displayed by boys in the sample groups (percentage of 'yes' responses)

	Group A	Group B	Group C	Group D
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
Destruction of property	61.8	48.6	67.5	71.1
Aggression towards others	91.2	78.4	87.5	94.6
Sexually inappropriate behaviour	25.7	17.1	12.2	26.3
Manipulative/controlling behaviour	47.1	27.0	65.0	63.2

The boys in sample group B, who had self-harmed in custody but who had not been known to self-harm in the community were the least likely to have destroyed property, to have displayed aggression towards others and to have shown manipulative or controlling behaviour. This further pointed towards a hypothesis whereby this group of boys was less resilient to the challenges of custody, perhaps because they were less likely to display the typical characteristics of criminality. Three boys in group B had not displayed any of the negative behaviours: Shane was imprisoned for his first offence and his mother reported that ‘...none of her other children have been involved in trouble with the Police and it came as a shock to her that Shane had offended.’ Shane was in custody for three months, serving a DTO for supplying drugs. Within the first week of his imprisonment, he self-harmed, by cutting himself or by head banging or wall punching) on three separate occasions.

In a different case, the uncertainty surrounding a possible placement in custody had already alerted Scott’s YOT worker to a risk of self-harm, though there had been no history of self-harm or mental-health concerns. Scott was described as:

Vulnerable due to being remanded to custody for the first time. Worried about losing his accommodation on the outside and his education placement. Also worried about the unknown in custody. Scott has also expressed suicidal feelings due to the prospect of custody. First time in custody.

When Scott was imprisoned for 140 days for burglary offences, he self-harmed within a week of arriving in custody. A week after that, he was the victim of a violent attack by two fellow inmates for reasons unknown. There were no other incidents recorded while he was in custody, but it seems that he was affected by

‘shout-outs’⁵⁷ shortly after he arrived, which was likely to have been a daunting experience.

There are consistent findings throughout this chapter that boys with fewer negative attitudinal or behavioural traits are more likely to appear in the group (sample group B) of boys who self-harm, apparently for the first time, while in custody. Some possible supporting explanations for this are advanced in chapter 6.

5.2 Vulnerability and risk of harm

Defining ‘vulnerability’ within the youth justice assessment process was riddled with complexity long before the Coroner investigating the death of Gareth Price, who died in HMYOI Lancaster Farms, aged 16, explained his concerns about the term in 2008:

The various witnesses in court gave widely differing descriptions of “vulnerability.” Some described vulnerability in terms of depressive type symptoms and likely self-harm, others described it in terms of adverse treatment by other prisoners and some described it in terms of factors that made it more likely that they may have had a difficult time in prison or self-harm...It appears that there are a range of uses of this term which are not consistently understood by those involved in its application or defined in the documentation. (Dr James Adeley (2008), cited in Youth Justice Board, 2014a, p. 10)

It is probable that the breadth of risks Dr Adeley heard described in his court were all understood to be characteristics of vulnerability by the users of the term, and that any confusion about its definition was more likely to be reflective of the fact

⁵⁷ “‘Shout-outs’ are common in YOIs and involve the boys calling out of windows at each other at night time, frequently in an attempt to intimidate one another. The layout of many prisons makes it difficult for staff to identify who is responsible for ‘shout-outs’ and it is therefore practice that can go unchallenged.’ (Prisons and Probation Ombudsman, 2013, pp. 51-2)

that the word had come to be used as a danger flag for so many children in the youth justice system that it had lost its potency and any clarity of meaning. The assessment framework replacing Asset no longer refers to children's vulnerability and instead asks assessors to consider and describe risks to their 'safety and wellbeing' (Youth Justice Board, 2014b), seemingly in an attempt to define more clearly what those risks are. The Asset assessments completed for the boys in the research sample did ask users to characterise and categorise the risks posed to and by the children they were assessing, but – as this section will explore – sometimes required assessors to predict behaviour without previous precedent in relation to potential future risks, balancing risk aversion about the harm boys might have been capable of causing with a desire to protect them from themselves or the damage inflicted by those around them in a range of risky circumstances. This chapter will also explore the accuracy of the risk predictions made by assessors, particularly in relation to boys who self-harmed apparently for the first time while in custody.

5.2.1 Previous self-harm and emotional concerns

Within the section of Asset dealing with formal mental health diagnoses and referrals to mental health services, practitioners are also asked to consider whether the child under assessment is affected by emotional concerns or thoughts or acts of previous suicide and self-harm. The responses are shown in Table 5.4, below.

Table 5.4 shows that while there is little difference between the groups in relation to the proportion of boys whose daily functioning is affected by past events, the proportion of boys with concerns about the present or future is higher among the boys (in sample groups C and D) with a history of self-harm in the community.

Table 5.4 – Percentage of boys in each sample group recorded as affected by emotional concerns about the past, present or future

	Group A	Group B	Group C	Group D
	No SH in the community No SH in custody	No SH in the community SH in custody	SH in the community No SH in custody	SH in the community SH in custody
Daily functioning affected by coming to terms with past events	64.9	55.9	67.5	63.2
Daily functioning affected by current circumstances	75.7	63.6	80.0	86.8
Daily functioning affected by concerns about the future	42.1	48.5	70.0	63.2

It is also notable that two-thirds (41) of the 61 boys who displayed all three emotional concerns were known to have self-harmed in the community, despite sample groups C and D only making up half of the overall research group. That this finding did not extend to the data about boys who did or did not self-harm in custody (when combined findings for groups A and C, and, B and D were considered) those displaying all three emotional concerns were distributed evenly among the groups of boys who did or did not self-harm in custody who were also represented evenly across the whole research sample) suggested no predictive link in the data in relation to custody despite the existence of a positive correlation between assessed emotional concerns and community self-harm. The correlation may have appeared because of the point-in-time nature of Asset assessments, recording areas of concern at times when self-harming had also taken place. This seemed to particularly apply in cases where the Asset had been completed in anticipation of a court appearance or custodial sentence; in Billy's case, a number of his worries were linked to what would happen to him in the justice system:

Billy tries to act unconcerned about his possible custodial sentence. However by the number of questions he has asked me about custody and what to expect in the secure estate he is obviously very concerned....Concerns about the future include the impact of [his current]

offences on his Criminal Record, gaining employment and also how he is going to cope with custody if he is sentenced to this...he is experiencing much increased anxieties since being charged....

Billy had disclosed previous self-harm in the community, and as a consequence of his YOT workers' concern was placed in a specialist unit for boys deemed to be unable to cope with a normal YOI environment, where he spent 121 days serving a sentence for racially aggravated criminal damage. He did not self-harm while in custody.

As the assessment process develops to inform decisions ahead of a child's entry to custody, it should be noted that there are a number of measures and questions posed in relation to self-harm and suicide risk, and that the responses did not always appear to be consistent. For example, and as shown in Table 5.5 (below) which also sets out the range of data collected on this topic within the study, for seven of the seventy boys in the research sample who were recorded in their Asset as having previously self-harmed, the Placement Information Form (PIF)⁵⁸ anomalously recorded no previous self-harm. In the PIF only one of these boys was noted as being at risk of self-harm or suicide. Five of the seven boys went on to harm themselves in custody, providing a distressing illustration to support the need for practitioners to record information accurately and clearly when they are considering risks.

⁵⁸ Completed to inform decisions at the point of placement into custody (see chapter 3).

Table 5.5 – Inconsistent recording of self-harm histories for seven boys in the research sample

	Asset Core Profile data			Placement Information Form data			NOMS data
Name	Previous Self-harm?	Previous attempted suicide?	Risk of self-harm or suicide?	Threats of suicide or self-harm?	Previous history of self-harm?*	At risk of suicide or life-threatening self-harm?	Self-harm in custody?
Max	Yes	No	No	No	No	No	Yes
Tim	Yes	No	No	No	No	No	No
Jimmy	Yes	No	No	No	No	No	No
Seb	Yes	No	No	No	No	No	Yes
Boyd	Yes	No	No	No	No	No	Yes
Matt	Yes	No	No	No	No	No	Yes
Luke	Yes	No	Yes	No	No	No	Yes

*This is the measure used to define the four research sample groups.

A partial explanation for the inconsistencies, which can also be seen in Table 5.6 (below), is provided when analysis is conducted of the time lapse between completion of the Asset and the date each boy entered custody. On average across all of the boys in the four sample groups, there was a difference of more than twenty-two days between the shortest and longest mean average time between Asset completion and entry to custody. It is likely that the discrepancy between Asset data and PIF data relating to previous self-harm arose from PIF information being collected from children in court cells who may not have defined certain behaviour as self-harm that professional assessors (in previous Asset assessments) would have. It is also possible that the children forgot or overlooked previous self-harm because they did not think it relevant. If this was the case, the practitioners completing PIFs did not appear to be cross-checking historical information provided against previous assessments or were not recording their reasons for recording different responses to the same questions about past behaviour.

Table 5.6 – Percentage of all boys in each of the sample groups identified in Assets as having previously self-harmed and average number of days between Asset completion and entry to custody

	Group A	Group B	Group C	Group D
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
Don't know			2.3	
Yes	4.3	12.8	72.7	81.6
No	95.7	87.2	25.0	18.4

Average days between Asset completion and entry to custody	27.9	36.8	19.7	14.2
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Arguably, consistency between the Asset form and the PIF is not as valuable a test of the efficacy of assessment as the correlation (or otherwise) between risk predictors and actual behaviour. If assessments provided perfect predictors of future behaviour, one would expect to find that any child who had self-harmed in custody had been assessed as being at risk of taking such action. Likewise, a mark of good protective practice in custody could be demonstrated if a number of children who were assessed as being at risk of self-harm did not go on to do so. But in order to guarantee that such findings could always be interpreted as reflective of good assessments and interventions, assessors could record all children as at risk of self-harm or suicide, effectively rendering the assessment redundant. It is important, therefore, to take a careful view of these areas of the assessments and what they really tell us about risk.

The narrative data provided in Luke's case provides a potent example of why this is the case: Luke was noted in Asset as having previously self-harmed, but on his PIF the opposite information was recorded. He was, however, identified as at risk of self-harm or suicide; a risk that was realised during his ninety-one days in custody. The descriptions of Luke's risks do not include the words 'self-harm' but include references to him '...damaging property in the home as he is unable to find alternative ways to manage his anger...He was found in possession of

sharpened items in his room.’ Luke is described as ‘stressed,’ ‘anxious,’ ‘paranoid,’ ‘upset’ and having ‘no significant role model in [his] life to help him manage his thoughts or responses to things.’ All the descriptions of Luke’s behaviour suggest that he could use self-harm as a coping mechanism in custody and explain why the person completing his PIF (who may not have been the same person who completed the Asset) was unable to identify clearly whether self-harm had previously occurred, but was able to highlight the potential risk Luke posed to himself in the future. The failure to explicitly identify this risk could have implications for other practitioners working with Luke and would be worrying if it reflected a reluctance on the part of YOT workers to make clear assessments of risk.

5.2.2 Risk of self-harm or suicide

As with the measures of past self-harming behaviour, assessors had two opportunities to record possible risks of self-harm or suicide at the point a child was entering custody: in the Asset assessment against the question ‘Are there indications that s/he is at risk of self-harm or suicide?’ (Youth Justice Board, 2000b, p. 23); and in the PIF which asks those completing it to record whether the child being assessed is at risk of suicide or life-threatening self-harm (Youth Justice Board, 2014c). The two questions are slightly different, with the latter referencing ‘life threatening’ self-harm which is likely to be interpreted as providing a higher threshold for risk. When the data is organised by the sample groups, it presents a clear and important finding for this research: it demonstrates that those children in sample group B, who self-harm for the first time in custody are as likely as those (in sample group A a) who do not self-harm in custody at all to be assessed as posing a risk of harm to themselves at the point of entry to custody, and vice versa. This is shown at Table 5.7.

It has already been established that, whilst not a failsafe measure, previous behaviour is a strong indicator of future risk but the fact that 37.3 per cent of the boys who had a history of self-harm were not assessed as posing a risk of doing so

at the point of entry to custody suggests that practitioners were taking other factors into account when reaching conclusions about risk, suggesting (as one would expect) that past behavior is not the only consideration for those undertaking risk assessments. This research has demonstrated, however, that the boys in sample group B, who self-harmed in custody for the first time possess different traits and characteristics from the other boys in the research, yet these differences were not being drawn through into assessments of risk in relation to self-harm.

Table 5.7 – Percentage of boys in each sample group assessed as posing a risk of self-harm upon entry to custody (from PIF responses)

	Group A	Group B	Group C	Group D
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
Risk of self-harm	6.1	6.8	56.5	69.0
No risk of self-harm	93.9	93.2	43.5	31.0

Three key points can be drawn from the information shown in Table 5.7. First, predictions of self-harm in custody are far more likely to be made in respect of children with a history of self-harm in the community than those who have not. Second, despite this, the over-prediction of risk for those who do not go on to self-harm (sample group B) is high (though the identification of risk itself may cause mitigation of the predicted behaviours if staff in YOIs take action to prevent self-harm). Third, and perhaps most importantly in relation to this study, predictions of risks of self-harm in custody in respect of the boys in sample group B are poor.

Table 5.8 cross-tabulates responses against both of the questions about risk of self-harm and shows a discrepancy between responses across the two documents for the same boys, which is most pronounced among those boys who were recorded as being at risk of self-harm or suicide who were not assessed as being at such a risk in the PIF completed later on. Of the nineteen boys who fell into this category, nine went on to self-harm in custody. It was not possible using

investigation of the narratives supporting the assessments of these cases to ascertain consistent evidence about why the risk of self-harm may have changed in the period between completion of the Asset and the point of entry to custody (when the PIF was completed). This was because the Asset would not have recorded the reduction in risk that may have occurred in the intervening period, only the risk which led to the positive identification of a risk in the first instance. The majority of the nine boys had well-documented self-harming histories, marked by different self-harming methods. This group of boys also displayed high incidences of class A drug use, including intravenous drug use in three cases and drug-induced psychosis in two.

Table 5.8 – Cross-tabulation of responses to questions about self-harm risk in the Asset Core Profile and Placement Information Form (PIF) (frequency)

		Asset – At risk of self-harm or suicide?			Total
		Don't know	Yes	No	
PIF At risk of suicide or life-threatening self harm?	Yes	4	43 (69.4%)	13 (12.1%)	60
	No	2	19 (30.6%)	94 (87.9%)	115
Total		6	62	107	175

In the same way as the discrepancies in recording of actual self-harm sometimes failed to reflect the narrative information in the boys' assessments, the identification of risk of self-harm or suicide in the Assets was also not always in correlation with past self-harming behaviour: twenty-two boys who were recorded in Asset as having no risk of self-harm or suicide were noted as having previously self-harmed; 50% of these boys went on to self-harm in custody.

Thirteen boys who were not recorded in Asset as having a history of self-harm were none the less noted by assessors as being at risk of self-harm. There was broad variation between the Asset responses and PIF information in these cases but nine of the thirteen boys went on to self-harm in custody. In the seven cases where there was a discrepancy between the Asset and the PIF as to whether self-

harm had occurred, the average time lapse between completion of the Asset and entry to custody was over a month (33.8 days), suggesting again that the self-harming recorded in the PIF may have occurred in the intervening period. All but one of the seven boys went to custody under sentence (not remand) – a higher proportion than that in the full research sample. This could indicate that their community self-harming was related to anxiety about the sentencing process; one assessor recorded their concerns about the impact of awaiting sentence in relation to a boy's risks to others, rather than a risk to himself, but it seemed from the information recorded in the PIF (stating that he had self-harmed) that the risk to himself was as real as the risk he posed to others:

Due to Micky appearing in court on the 6th of June and a custodial sentence is likely I imagine Micky's emotions to be in a heightened state and feeling that he has nothing to lose. A log has been made with police outlining YOT concerns.

However, Marco's YOT worker took a wider view of the risks associated with his nihilistic attitude:

Marco has indicated that he "knows" he will be sent to custody in relation to the pending matter of Rape and this has put him in a mind set whereby he doesn't care about anything or anyone. Marco is living his life as if there was no tomorrow because he thinks he will soon be sent to custody for a long term. In contrast with his careless approach, whenever Marco is arrested and/or sent to custody he tends to react abruptly by punching walls and crying.

Marco's case illustrated a developing and supported picture (see Fox and Hawton, 2004) of a group of boys for whom the risk factors in their lives associated with harming others are equally indicators of their likelihood of harming themselves. Asset records information about possible 'Indicators of risk of serious harm to others' in a context where the boys may consider themselves to be 'other.' The

following section will explore whether high levels of risk in this area correlate with high levels of risk around self-harming and how this translates between community and custody.

5.2.3 Risk of harm to others

Assessors are asked to record risks of serious harm in four categories against 14 options. The four categories are:

1. Risks to other children
2. Significant behavioural concerns
 - a. Behaviour resulting in actual serious harm
 - b. Behaviour where serious harm was intended
 - c. Other reckless or unintentional behaviour which could have resulted in harm
3. Specific characteristics of behaviour
 - a. Features such as ‘unduly sophisticated methods’, use of weapons
 - b. Motivation arising from revenge, control or discriminatory beliefs
 - c. Specific interests or fascinations
4. Other concerns
 - a. Disconcerting or disturbing behaviour such as cruelty to animals
 - b. Threats or indications of serious harm
 - c. Concerns about serious harm risks identified by others
 - d. Intuitive, ‘gut’ feelings about possible harmful behaviour

(Youth Justice Board, 2000b, p.25-6).

For the purposes of the research, a score was recorded against each of the four categories, by counting the number of positive responses against each sub-heading.

Table 5.9 – Percentage of boys in each sample group assessed as demonstrating each number of characteristics of a risk of serious harm and average number of characteristics recorded for each group (from a maximum of 14)

	Group A	Group B	Group C	Group D
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
0	36.7	30.4	36.4	21.4
1	16.3	4.3	18.2	14.3
2	12.2	15.2	6.8	9.5
3	14.3	8.7	15.9	9.5
4	8.2	15.2	11.4	7.1
5	8.2	13.0	4.5	11.9
6	0.0	8.7	0.0	11.9
7	2.0	0.0	4.5	2.4
8	2.0	2.2	0.0	9.5
9	0.0	2.2	2.3	2.4
Five or more	12.2	11.4	26.1	38.1
Average number (mean)	1.9	2	2.8	3.4

The data showed a clear correlation between increased risk of serious harm and known community self-harming. It also showed that those boys who self-harmed only in custody (sample group B) were less likely than any other group to have displayed a high number (more than five) of the fourteen risk characteristics, again supporting the notion that the risks they posed to others were lower than the risks posed to themselves when compared with the other groups in the research.

None of the children in the sample group with no history of self-harm was recorded as posing a risk to other children, and while this measure of risk seemed difficult to attribute meaning to (given that children are most likely to offend against their peers), it was notable that in the group of boys who self-harmed both in the community and in custody, 18 per cent were recorded as posing a risk to other children. This was reflected in PIF assessments of risk of self-harm, which, as demonstrated earlier in this chapter, were not consistent in their accuracy in relation to the different sample groups, and showed that 16.1 per cent of boys who

posed a risk to other children were also at risk of self-harm, compared with 5.4 per cent of boys who were not recognised as posing a risk to children.

5.3 Offending

‘We did ask adolescents whether they had been in trouble with the police, and this was found to be associated significantly with deliberate self-harm, but not when other factors (e.g. mood, self-harm in friends and family, drug taking) were controlled for.’ (Hawton et al, 2006, Ch. 4, para. 797)

Chapter 4 of this study examined (among other things) the static characteristics possessed by the boys in the research sample. This section moves to consider what links, if any, exist between the boys’ offending behaviour and propensity for self-harming. The broad expectation in undertaking this part of the analysis, one not uncommon with the entire research proposition, is that it is the same set of factors, characteristics and environmental factors that shape children, their behaviour and the way that society responds to them, and which leads them into the youth justice system and eventually custody, as makes them liable to self-harm. Much of the offending that children are involved in is reckless and impulsive and frequently involves the child putting themselves at risk – these characteristics can also be seen in many self-harming episodes. It is the further belief of this researcher that offending itself is a form of self-harm in many respects, undertaken to provide diversion from or draw attention from others towards a traumatic life or experience. So the research question in relation to the offending data gathered from the research group is perhaps less about whether offending per se is a risk factor but whether there are any trends, correlations or relationships between certain types of offending and a propensity to self-harm.

Data were gathered in relation to:

1. The offence category⁵⁹ the boys were charged with or convicted of.
2. The offence, or offences that had resulted in a custodial outcome.
3. The seriousness score⁶⁰ recorded for the most serious offence.
4. The nature or details of offence where available. Frequently it was difficult to ascertain from the Asset what the current offence was and information about the nature of offences was not always provided. Where possible, the PIF was used to confirm the information but was equally often lacking in details about the offence.
5. The age of each boy at the time they received their first reprimand or caution and their age at first conviction.
6. Whether the boy had complied with previous orders.

Offence types were also categorized into ‘violent’ ‘non-violent’ and ‘sexual’ to provide a clear variable for analysis. Where the offence was listed as breach of a Youth Rehabilitation Order (YRO), Detention and Training Order (DTO), bail or other order or licence, the original offence was used to categorise the nature of the offending.

5.3.1 Compliance with previous orders

It was sometimes difficult within the assessments to take the response to the question about previous compliance with youth justice disposals at face value. An example of a statement which gave rise to concerns in this area was provided in Alan’s case, where his YOT worker said: ‘Whilst his compliance has not been an issue, it is of concern that his offending has continued whilst subject to intervention by this department’ – a statement giving rise to questions about the

⁵⁹ Using the YJB’s YOT Data Recording Guidance (Youth Justice Board, 2015b).

⁶⁰ YJB YOT Data Recording Guidance (2015b) states that ‘Seriousness scores are derived from analysis of the sentencing pattern for each offence, with offences receiving predominantly custodial sentences scoring 7 or 8, while offences receiving first-tier penalties most often scoring 1 or 2.’

meaning of compliance.

Compliance with orders was highest among the group of boys who had no recorded self-harming behaviour. Failure to comply was most common among those boys who self-harmed in both the community and custody, of whom nearly 90 per cent (89.7) were recorded as having failed to comply with previous orders, compared with 65.6 per cent of boys who had no history of self-harm. It was anticipated that analysis considering other areas of the boys' lives would demonstrate higher levels of chaos and instability in the group of boys with the most prolific self-harming behaviours, advancing on Bateman's assertion that 'Inevitably children who generate higher Asset scores tend to be those whose circumstances are such that they will find compliance more challenging...' (Bateman, 2011, p. 123).

5.3.2 Problems with offence types

Within the research sample, the most common offence type recorded within Assets was Breach of a Statutory Order; this included those who had breached community orders (YROs) or the community element of DTOs. Although efforts were made to identify and record original offence type, it appeared from the available documents that the boys who had breached orders had been sentenced for breach rather than for their original offence type, which was unlikely given that Breach its self is not an offence. When the data were compared to the YJB's custody data, there was a dramatic difference between the figures relating to children who were in custody as a result of a breach. This appeared to be as a result of anomalous data recording guidance between the courts, YOTs and the YJB. Therefore, in order to enable more relevant comparisons to be made between the datasets, Table 5.10 shows the figures for each of the four research groups adjusted to remove the breach figures.

Adjusted offence type data

The adjusted data tell us that boys in the research sample were most commonly in custody for offences in the 'Violence against the person' category. The proportion of boys in custody for this offence type was reasonably stable across the four sample groups and as an average figure was equal to the national custody figure for this offence type. The proportion of boys in the research sample who were in custody as a result of a robbery offence was, at 19.9 per cent across the four groups, significantly lower than the national average figure of 32 per cent. But this comparison, like almost all others within the offence categories elicited no significant trends. The single exception was in relation to the four boys who were remanded or sentenced for sexual offences, all of whom had been known to self-harm before and during their time in custody. Closer inspection of the total number of boys who were accused or convicted of sexual offences across the full research sample showed that all of them (six in total) were known to have self-harmed.

Table 5.10– Primary offence categories as a percentage of boys in each sample group

		Group A		Group B		Group C		Group D	
	YJB custody data	No SH in the community, No SH in custody		No SH in the community, SH in custody		SH in the community, No SH in custody		SH in the community, SH in custody	
Offence group	Share of total in 2013/14	Full data (n49)	Adjusted* (n33)	Full data (n44)	Adjusted* (n31)	Full data (n46)	Adjusted* (n28)	Full data (n42)	Adjusted* (n30)
Arson	1%			2.3	3.2			2.4	3.3
Breach of statutory order	2%	32.7	Removed	29.5	Removed	39.1	Removed	28.6	Removed
Domestic burglary	16%	14.3	21.2	13.6	19.3	6.5	10.7	9.5	13.3
Drugs	5%	4.1	6.1	2.3	3.2	0		0.0	
Motoring offences	0%	2.0	3.0	2.3	3.2	0		2.4	3.3
Non domestic burglary	1%			2.3	3.2	4.3	7.1	2.4	3.3
Public order	2%	2.0	3.0	4.5	6.4	4.3	7.1	2.4	3.3
Racially aggravated	0%					2.2	3.6		
Robbery	32%	12.2	18.1	6.8	9.7	19.6	32.1	14.3	19.9
Sexual offences	6%					0.0		9.5	13.3
Theft and handling stolen goods	4%	6.1	9.1	9.1	12.9	4.3	7.1	2.4	3.3
Vehicle theft / unauthorised taking	1%	4.1	6.1	6.8	9.7	2.2	3.6	9.5	13.3
Violence against the person	25%	16.3	24.2	18.2	25.8	17.4	28.6	14.3	19.9
Other	1%	4.1	6.1	2.3	3.2	0.0		2.4	3.3
Not known	0%	2.0	3.0						

*Data adjusted to remove records where the primary offence type leading to custody was listed as breach of statutory order, licence conditions or bail.

5.3.3 Alleged or proven sexual offending

Research among male adult sexual offenders has found a heightened risk of suicide in this group (Pritchard and King, 2004) but there appears to be little specific research into the characteristics or vulnerabilities of children convicted of sexual offences. This may be with good reason, because as Janes points out, ‘Children to whom indefinite legal labels as sex offenders apply may range from children convicted of serious sexual offences to children involved in consensual activity with peers.’ (Janes, 2011p. 137-8). In the same article, Janes also talks of the negative impact of labeling children as ‘sexual offenders’; indeed, Department of Health and Home Office-commissioned research explains that ‘...adolescent sex offenders are not a homogenous group.’ (Whittle et al, 2006p. 10). However, when compared with literature on children who self-harm, evidence in the report strongly suggests that children who display sexually harmful behaviour share many vulnerabilities with those who self-harm. Cited in Whittle et al’s report are findings from Mutale’s work in this area which concludes that ‘Sexually abusive behaviour was...significantly associated with...self-laceration.’ (Whittle et al, 2006, p. 29). The commonality of self-harming behaviour among the four boys in the research sample who had been accused or convicted of sexual offences therefore warranted further investigation, particularly to explore the possibility that the labeling Janes refers to was the prompt for the boys’ self-harm, as opposed to their self-harming and harmful sexual behaviours being linked as part of a typology.

Patrick was sentenced to an eight month DTO for the sexual assault of two girls, one being his girlfriend at the time of the assault. His only known incident of self-harming occurred in court cells after he had been sentenced for the offence. Patrick’s father was known to have committed sexual offences against girls, and Patrick had grown up experiencing and witnessing domestic violence. He had not been known to self-harm before he was sentenced and was not recorded as self-harming while in custody. When in court, he was described by his YOT worker as ‘tearful’ and ‘panicking.’

Rex was remanded in custody for accessing indecent images of children on his laptop – 138 images were found including some in the highest category of severity. The only incident of known self-harm for Rex was during a previous period in custody, when he had punched a wall in circumstances where he had said that his ADHD medication was making his ‘head go.’ At this time, he had been convicted of a number of offences relating to the making, possession and distribution of indecent images of children. He had admitted further offences after being arrested. His YOT worker reported that

...he “wants to get caught” and “he wants to stop offending”. It appears Rex is hoping that by disclosing further offending he will get a custodial sentence that he hopes will aid him in his attempts to resist further offending.

A core Asset was not submitted for Brian and therefore little information was available about him at the point of his placement into custody. However, it was known that he had been remanded for six months on a charge of rape of a child under the age of 13 (Brian was 17 and a half when he was first remanded). He had a history of self-harm in the community, and had told his YOT worker that he had tried to hang himself, and he had also burned his arm when aged 16. At the time he was remanded, Brian told his YOT worker that he would ‘try to take his own life in any way possible’ and that he would self-harm when he was ‘angry or down.’ There were two known incidents of self-harm while Brian was in a YOI – he was then moved to an STC because his vulnerability increased as a result of him having disclosed the offence he was remanded for to other inmates. Brian was sentenced shortly after his 18th birthday and then moved to adult custody. Tragically, Brian’s threats take his own life were not empty. Six months after he was sentenced, aged 18 and in an adult prison, Brian hung himself and died.

Ian had a history of concerning sexual behaviour before his remand for the rape of a 13-year-old girl. He also had a history of significant self-harm, including an occasion when, aged 16, he overdosed on the insulin he was prescribed for Type

1 diabetes, which resulted in his being in intensive care for two weeks. No Core Asset was provided at the point he was remanded, so little could be ascertained about his personal circumstances, although it was known that he had been on a child protection plan for neglect at some point in his life. After he had been remanded for nearly three months, Ian was found in his cell with a tightly wrapped ligature, having also made cuts to his arms.

Gary was known to suffer from a range of neurological disorders affecting his development and behaviour from birth. He had a prolific history of self-harm in the community and in custody before he was given a long-term sentence for making an indecent image of a child and assaulting a member of staff at a hospital. Unlike the vast majority of the boys in the research sample, Gary presented at the door of the youth justice system with a number of known psychological conditions, and a suspected emerging personality disorder: he had been well ingrained in professional mental health treatment for much of his life. His self-harming continued to be serious and life-threatening after he was sentenced, and he was eventually sectioned under the Mental Health Act and moved to a secure hospital.

Ed was identified as being at risk of self-harm when he was remanded to custody in January 2015 because of a known attempt to hang himself eight years earlier. This was some time before he came to the attention of justice services, which happened in 2013 when he committed arson. His YOT worker noted in the Asset that, ‘...it may/may not be notable that Ed's offending started with an Arson offence 2 days after his father's offence of Rape.’ Ed went on to receive sixteen youth justice disposals in a period of less than eighteen months. His offending was violent and predominantly involved assaulting adults, including his mother, care home staff and police officers. In January 2015, at the age of 17 years and seven months he was remanded in custody charged with unlawful sexual intercourse with a female under the age of 16 – his girlfriend. It seemed likely that the nature of the sexual offence that Ed was charged with was somewhat different from those the other boys had been accused or convicted of:

During interview...Ed was very reluctant to talk about this offence as he feels that he is being labelled as a 'sex offender' and that that is not what he is. However, Ed fully accepts the facts that are contained in the Crown Prosecution Service documents and explained that when he and the victim began their sexual relationship in April 2014, despite him being 16 years of age and the victim being 14 years of age, he did not think that he was committing an offence largely due to the fact that they were in a relationship, it was consensual, and he was not that much older than her. Ed says that it was only when he was arrested and given a Community Resolution in August that year did he realise that he had broken any law.

Ed was not involved in any incidents while remanded in custody for twenty-three days. There were references in his assessment to Ed having developed some insight into his offending behaviour and the emotional disturbances in his life that may have contributed to it; they were suggestive of his being keen to take part in education and to establish stable living arrangements, which had until that point not been a feature of his life. This seemed pertinent because of the impact a period in custody has on the ability of children to find stability in often chaotic, unsettled lives (articulated well by Goldson, 2005 and by Goldson and Coles, 2005).

The boys who had been imprisoned for the suspected or proven commission of sexual offences were, as Whittle et al asserted, '...not a homogenous group' (2006, p. 10), coming as they did from a range of backgrounds and having faced different challenges as they developed. Their offending and their own reactions to their offending also varied, from Patrick and Ian, who were unable to explain why they had committed what appeared to be isolated sexual assaults, to Rex who had a relatively long history of concerning sexual behaviour and who said he wanted to get caught. Gary's offending seemed inextricably linked to severe and dominant mental health issues and neurological disorders, conveying a very different complexion to theories about his motivation or feelings towards his sexual offending. Ed's charges seemed to be viewed by the authorities and by Ed

himself as more of a technical offence than sexually harmful – leading one to consider again Janes’ theories about the damaging effects of labeling children accused or convicted of sexual offences.

Self-harming was a behaviour common to all six boys at one time or another, and appeared to be more concerted in these boys than most others in the research sample. Five of the boys self-harmed after they had been charged with a sexual offence. Given the inability of these boys to deal with the traumatic life events that had normally preceded their offending, it seemed reasonable to assume (particularly based on Patrick, Ian and Brian’s cases, where they appeared to struggle considerably with understanding their own motivations for offending) that self-harm was an outlet for confusion and frustrations they were unable to articulate during periods of crisis.

5.3.4 Violent offending

When the boys who were imprisoned for sexual offences were removed from the data, analysis showed that the boys who had self-harmed in the community but who did not do so in custody (sample group C) were the most likely to have been imprisoned for a violent offence (69.3 per cent of boys in this group were in prison for violent offences), and that those who self-harmed both in the community and in custody (sample group B) were the least likely to be in custody on that occasion for a violent offence (48.6 per cent of sample group B were accused or convicted of a violent offence). This data was clearly only of limited value because it reflected only the offence that had led to imprisonment on the current occasion and was not necessarily reflective of a pattern of offending. However, closer inspection of the data in Table 5.13 reveals that the boys in sample group C, who had self-harmed in the community but did not do so in custody were the most likely by some margin to have committed (or been alleged to have committed) robbery, and were also the most likely to have been charged or convicted with violence against the person. They were the least likely to have been in custody in relation to domestic burglary. It seemed that regardless of

whether the crime was acquisitive or not, the boys in sample group C were more prone to using violence in its commission than the others in the research sample. On average, they had also entered the youth justice system later than the other boys in the research sample, with 60 per cent having received their first reprimand or caution aged 10-13 years compared to between 71 and 77 per cent of boys in the other three sample groups. Exploration of the narrative information around the boys from the group who had been charged with or convicted of robbery offences showed that although assessors often felt that there was still a risk of self-harm at the point the boys entered custody, the last known act of such behaviour had occurred some time in the past and appeared not to be linked to either offending or any criminal justice processes.

5.3.5 Age at point of entry to the youth justice system

Assessors are asked to record in Asset Core Profiles the age at which the child under assessment received their first ‘reprimand or caution.’ Data (shown in Table 5.14) published in 2016 showed that the majority (65.8 per cent) of children who entered the youth justice system in 2014-15 were aged 15 years or older at the time. By contrast, the majority (70.7 per cent) of boys in the research group were recorded⁶¹ as having received their first reprimand or caution (which marked their entry to the youth justice system) aged between 10 and 13 years. The likely explanation of this apparent discrepancy is that the boys in the research sample had advanced to the most serious youth justice disposal – custody. It was therefore to be expected that they would have entered the system earlier than the wider group of children in the youth justice system, of whom the vast majority would not find themselves remanded or sentenced to custody.

⁶¹ Where data were available – around one third of assessors did not record information about the age of boys at the time they entered the youth justice system.

Table 5.11 – Percentage of boys in each sample group distributed by age at point of first entry to the youth justice system, alongside ages of first time entry from 2014-15 national data (Youth Justice Board and Ministry of Justice, 2016)

	Group A	Group B	Group C	Group D	
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody	Age of children receiving first youth caution during 2014-15*
10 to 13	71.4	76.7	60	75	17.8
14	9.5	6.6	8.6	18.8	16.4
15	14.3	10	11.4	3.1	20.6
16	4.8	6.6	5.7	3.1	22.1
17	0	0	14.3	0	23.1

*Includes young people offenders recorded as receiving a youth caution, and reprimands and warnings which were the available out of court disposals before youth cautions came in.

The greatest proportion of what could be termed ‘early entrants’ to the youth justice system were within the group of boys who did not self-harm in the community but went on to do so when in custody (sample group C). Seventy-six per cent of this group had received their first reprimand or caution when aged between 10 and 13. Unsurprisingly, most of this group had been in custody before; one boy, Dylan, had entered the youth justice system aged 10, and in the two years prior to his current period of incarceration had been in custody on seven separate occasions. He had most recently been recalled to custody while serving the community element of a DTO and it was on this occasion that he self-harmed for the first time, aged 15 years and four months.

5.3.6 ‘Seriousness’

When recording primary offences in Asset, practitioners are asked to attribute a ‘seriousness’ score between one (least serious) and eight (most serious). Data recording guidance provided by the YJB states:

The seriousness scores are derived from analysis of the sentencing pattern

for each offence, with offences receiving predominantly custodial sentences scoring 7 or 8, while offences receiving first-tier penalties most often scoring 1 or 2. (Youth Justice Board, 2015b, p. 52).

It was therefore concerning that the seriousness score attached to the offences that the boys in the research sample had been imprisoned for was either three or four in 51.1 per cent of cases. Where information about the offences was available, those with a seriousness score of three appeared to have been charged or convicted primarily of theft offences or of knife possession. Half of these boys were spending their first period in custody compared with 42.5 per cent of the boys in the full research group.

Table 5.12 – Percentage of boys in each sample group identified by seriousness scores relating to index offences

	Group A	Group B	Group C	Group D
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
3	10.2	18.2	10.9	7.1
4	38.8	36.4	47.8	35.7
5	6.1	15.9	2.2	16.7
6	34.7	27.3	28.3	28.6
7	4.1		6.5	4.8
8	2.0	2.3		7.1
6 or more	40.8	29.5	34.8	40.5

Table 5.11 illustrates that those boys who did not self-harm in the community but who went on to do so when in custody (sample group B) were likely to be in custody for the least serious offences when compared to the boys in the other sample groups. If their self-harming was a reaction to the reality of incarceration it was also possible that they had not expected to find themselves there on the basis of the relative severity of their crime (or alleged crime).

The boys who self-harmed in custody and who had also self-harmed in the community were the most likely to be in custody with an index offence scoring seven or eight on the seriousness scale. Four of the five boys accused or convicted

of offences with a seriousness score of eight were considered earlier in this chapter in relation to sexual offending. In the remaining case, a boy had been charged and remanded for his alleged part in the murder of one boy and the wounding of another in a case with multiple defendants. He was eventually acquitted after spending a year on remand.

Consideration of information relating to the boys' offending behaviour produced powerful evidence to support the theory that the convergence of offending and self-harm are more likely to be the damaging products of the same troubling life experiences, and that the external damage of sometimes very serious offending is in some cases mirrored by internal damage through self-harm. The evidence considered in this chapter also begins to support a hypothesis that involvement in the processes leading to custody can in itself be a trigger for self-harming behaviour among boys who are already at risk, by virtue of the very troubled lives they are already leading.

5.4 Custody

‘Wayne has been sentenced to a DTO and is therefore residing in Medway STC for the next two months, before being released on two month licence. This is in many ways an unsuitable placement, however it also provides him with a routine and some safety as well, which is something that he has said he has needed. He is obviously living with known offenders, given that he is in custody, and although there are no direct problems, it is a concern that he is in custody, and has the potential to be influenced by those more criminally entrenched.’

In a section of Asset recording previous living arrangements, Wayne's YOT worker was able to summarise one of the many conflicts of the prison experience, which at once would protect him from factors which had blighted him in the community, and yet had the potential to school him in the very behaviours it was intended to discourage. The dilemma explained by Wayne's YOT worker also

illustrates the difficulty faced by assessors weighing up a range of factors to predict the impact of different interventions or approaches. This section explores the basic characteristics of the custodial experience for the boys in the research sample and considers what bearing these might have had on the actions they took while incarcerated.

The methodological approach of this study (see chapter 3) was such that elements of the sample groups were controlled for to ensure the greatest parity across the four groups. The key area where this was the case was in relation to the time spent in custody, which was broadly matched across the four sample groups and was also well matched to the wider data on time spent in custody to provide as faithful a representation as possible. Other variables relating to custody, such as offence, legal status, custodial establishment and previous custodial experience, however, were not controlled. Time spent in custody is therefore not explored in this study, as any findings would be a construct of the methodology.

5.4.1 Custodial status

Table 5.13– Custodial status as a percentage of boys from each sample group

	Group A	Group B	Group C	Group D
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
Remand	46.9	29.5	21.7	16.7
Recall	2.0	13.6	6.5	23.8
Sentence	40.8	47.7	56.5	42.9
Remanded to sentence⁶²	4.1	6.8	13.0	14.3
Other	6.1	2.3	2.2	2.4

The boys with no history of self-harm (sample group A) were the most likely to be remanded in custody and the least likely to be sentenced; the figures for this group were also at greatest variation with the official data, which showed that

⁶² ‘Remand to sentence’ denotes that the boy was initially remanded to custody and was then convicted and sentenced as part of a single continuous period in custody.

during 2014-15, on average, 23 per cent of children in custody were held on remand (Youth Justice Board and Ministry of Justice, 2016). Furthermore, the youth custody data showed that 34 per cent of children remanded were subsequently sentenced to custody. Across the whole research sample this figure was 9.5 per cent, with notable variation across the four groups, ranging between 4.1 per cent in the boys with no self-harm history (group A), to 14.3 per cent in the boys who self-harmed in the community and in custody (group D). This latter group was also the most likely to have been subject to recall to prison from a previous sentence, which was perhaps reflective of the broader characteristics and risk factors that made them prone to more prolific self-harm than their peers. Stewart's previous experience in custody illustrated how this could have been the case:

Stewart himself said that he is not finding prison particularly difficult and that he has made lots of friends, he said that he is finding being in the cell on his own particularly difficult as he is getting paranoid at night. He is also finding the mornings difficult as this is when he thinks about his family and gets really upset. Throughout the meeting Stewart went from one extreme of being really happy and chatty and recalling events on the wing that he found funny and then the next [minute] he would be in tears crying saying he is missing his family and wants to go home.

It had been anticipated that there would be a relationship in the data between previous experience in custody and propensity to self-harm, particularly for the boys (in sample group B) who had self-harmed for the first time during the custodial episode under review. However, and as is demonstrated in Table 5.13, this was not the case. The boys who self-harmed in custody were slightly more likely to have been to custody before than those who had not self-harmed during the current custodial episode.

Table 5.14 – Percentage of boys in each sample group who had previous experience in custody

	Group A	Group B	Group C	Group D
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody
First time in custody	42.9	40.9	45.7	40.5
Previous experience in custody	57.1	59.1	54.3	59.5

The risks associated with a first custodial experience were known to some assessors, who recorded comments such as:

Jimmy has never experienced a custodial sentence. Being isolated from his family and being remanded for the first time would make him a medium risk of vulnerability in line with YJB and local guidance.

And,

Vulnerable due to being remanded to custody for the first time. Worried about losing his accommodation on the outside and his education placement. Also worried about the unknown in custody. Scott has also expressed suicidal feelings due to the prospect of custody. First time in custody.

However, the reality appeared to be that boys across the research group were all more likely to have had previous custodial experience than the average under-18 YOI population (Redmond, 2015), suggesting that, for those who had self-harmed for the first time during the custodial episode under review, they had previously experienced imprisonment without having harmed themselves.

Data were not collected in relation to whether previous periods in custody had been in YOIs or in other parts of the secure estate for children, where they may have been subject to greater staff-to-child ratios, more therapeutic environments and more supportive regimes. However, it was noted from prisoner surveys

relating to the year when the boys had been in custody that those who had been in prison before were more likely to view their time in a YOI negatively than those who were there for the first time (Redmond, 2015). Having previously been in non-YOI custody could have had an impact on boys' views of YOIs. It may also have been the case that children's reported increased contact with family and friends during their first time in custody⁶³ (Redmond, 2015) was relevant in forming their views about it, given the links between social contact and custodial self-harm (for example, Liebling, 1992).

In section 5.2.1 a theory about the possible stresses of awaiting sentencing and the impact this may have had on self-harming in the community during the period directly before boys received a sentence to custody was discussed. In the case of those boys in sample group B who self-harmed for the first time in custody during the current episode but who had (prior to this occasion) been in custody before, custodial status data revealed that the proportion of boys in the sub-group were no more or less likely to hold a different custodial status than the wider sample group of boys who had self-harmed in the same circumstances. Neither were they spending a considerably longer (or shorter) period in custody than their peers across the research sample.⁶⁴ Attention therefore turned to custodial location in order to consider whether this variable had any link to the boys' behaviour.

5.4.2 Custodial location

Chapter 4 explored the findings from the research sample which suggested that boys from the north of England, Wales and the midlands were more likely to appear in the self-harming groups than their peers from the south of England. It was therefore unsurprising to find that a similar pattern appeared in relation to the placement locations of the boys in the research sample. The Youth Justice Board

⁶³ Forty-three per cent of children in YOIs in 2014-15 who had not been in custody before reported one or more visits per week from family and friends, compared with 27 per cent of children who had previously been to custody (Redmond, 2015).

⁶⁴ The boys in this sub-group spent on average 96.8 days in custody compared with a mean average across the whole research sample of 92.6 days.

places children in YOIs broadly in line with court catchment areas, defined through modelling of past and predicted custody data against commissioned capacity in the available establishments (personal correspondence). Recent unpublished data produced by the Youth Justice Board identifies that in 2014-15 68 per cent of children were held within 50 miles of their home address, with 8 per cent being held more than 100 miles from home. It is fair to say that the majority of children in custody are held broadly within their home geographical region, and thus the distribution of children within the sample groups across the YOIs could be expected to reflect the findings in relation to home location.

Table 5.15– Percentage of boys in each sample group held in commissioned under-18 YOIs and overall under-18 YOI population by establishment at 13 August 2014

	Group A	Group B	Group C	Group D	
	No SH in the community, No SH in custody	No SH in the community, SH in custody	SH in the community, No SH in custody	SH in the community, SH in custody	YOI population at 13/08/2014***
Cookham Wood	28.6	11.4	21.7	9.5	19.6
Feltham	12.2	2.3	8.7	7.1	18.7
Hindley****	10.2	18.2	21.7	16.7	18.7
Parc	6.1	27.3	6.5	4.8	6.2
Werrington	8.2	20.5	2.2	11.9	12.2
Wetherby main site or LTU*	24.5	4.6	10.9	21.4	19.5
Keppel Unit	2.0	11.4	26.1	19.0	5.0
Combination**	8.2	4.5	2.1	9.6	N/A

* Long Term Unit

** Some boys moved between YOIs or from other parts of the secure estate during the custodial episode.

*** This date was chosen as a snapshot because it fell before population reductions at Hindley in preparation for the decommissioning of the site in late 2014.

**** Hindley was decommissioned as an under-18 YOI in late 2014; therefore direct comparisons cannot be made because the research sample data were collected in respect of children placed throughout 2014-15 when Hindley was only a placement option for half of the period.

Because of the nature of the sample groups, it was expected that there would be a

significantly greater proportion of boys held on the Keppel Unit within Wetherby than was the case among the whole YOI population: the Keppel Unit is a ‘...national resource designed to provide more developed support for some of the most challenging and vulnerable young people currently in custody.’ (HM Inspector of Prisons, 2015), for which boys become eligible for possible admission if they display two or more specific risk factors, one of which is ‘Current self harm or suicidal behaviour.’ (Youth Justice Board, 2012)

That 26.1 per cent of the boys who had a history of self-harm in the community but did not self-harm in custody (sample group C) were placed in the Keppel Unit may well be a testament to the unit’s approach or to its ability to prevent those known to be at risk from harming themselves, although it should be noted that many of the boys in the research group who self-harmed did so on the Keppel Unit. Six boys (11.4 per cent) were placed in the Keppel Unit despite having no prior history of self-harm. Closer inspection of their Assets revealed that three of the boys had been sentenced for sexual offences and that two were convicted of racially aggravated offences; the relationship between sexual offending and self-harm in custody was explored in the previous section. These were likely to have been factors in consideration as to whether the boys, who were all aged over 17 and a half when they were sentenced (and therefore may not have been suitable for placements into STCs or SCHs because of their ages) needed a more specialist placement than could be provided within the mainstream YOIs.

Another pronounced spike in the data in Table 5.12 related to the number of boys in the sample group who had self-harmed for the first time in custody (sample group B) who were held in Parc. The average proportion of the YOI population held in Parc was 6.2 per cent in August 2014, a figure which was broadly reflected in three of the four research sample groups. However, of the boys who had no history of self-harm before going to custody, but who self-harmed for the first time while there, 27.3 per cent were held in Parc. According to HM Inspectorate of Prisons (2014), the levels of self-harm in Parc are ‘not high.’ Assessment narratives were not always revealing of the possible reasons for the

higher proportion of this sample group held in Parc and/or why they self-harmed in custody, but in Darcy's case, there were echoes of the theories about drug use as a maladaptive coping strategy, advanced in chapter 4:

Darcy reported regular Cannabis use when we first had contact with him, stating that he had started to use the drug when aged 13. His use of substances has, however, significantly increased and diversified over the last 12 months. He now reports extensive poly-drug use, including crack cocaine and heroin. As noted above, his day-to-day life is centred around securing funds to pay for drugs, and there are increasing concerns about the impact this is having on his physical health...

Darcy can present as resilient and to be coping at times, but it is apparent that he struggles to manage his emotions when under stress or pressure. This has been evident in our contact with him, and at times also in his offending behaviour, but has also presented through reported feelings of despair and hopelessness. He has on occasion made statements about harming himself, however these present as resulting from frustration or helplessness in situations, rather than any specific suicidal thinking.

When Darcy was placed into Parc, it was his first experience of custody. He had been sentenced, one month before his 18th birthday, for the theft of a mobile phone from a YOT worker and for threatening to harm a member of staff at his care home. Just before his birthday, he was reported as depressed and had punched his TV cabinet. Other boys in the sample group displayed similar risks and were noted to have been increasing their drug use in the period immediately prior to going to custody, however only one of the ten boys placed into Parc from the sample group was assessed as being at risk of self-harm in the PIF completed when they entered custody.

Because this study is primarily focused on what is known about children when they enter custody, and how that may assist in identifying care and support needs in relation to potential self-harm in custody, it has not sought to explore the

custodial context in detail. It is therefore difficult to make fully informed judgements about whether specific characteristics of particular establishments contribute to the risks children pose to themselves. It is possible, however, to identify that some establishments (particularly those in Wales and the north of England) may need to expect a population of boys more prone to self-harming behaviour, and that this behaviour may not have previously exhibited in the communities that the boys came from.

Chapter 6: Findings from incident reports - incidents in custody

The literature review for this study identified gaps in institutional understanding in relation to the characteristics of children entering custody with a propensity to self-harm and in relation to the nature and characteristics of self-harm among children in prisons when compared to adults in the same context. The result of this has been a set of policies for children's prisons informed by an evidence base rooted in the culture of adult behaviour and risk. This chapter will consider what the incident reports for the children in the study can reveal about the boys they relate to, their custodial experience and the characteristics and risk factors which may have led them to act in a particular way at a particular time. This exploration is limited by the quality of evidence available within the incident reports, which ranged in the reports from brief and factual: 'SELF HARM, Bittern Unit, [child] made superficial cuts to body which were cleaned by Nurse. ACCT opened,' to more detailed accounts explaining elements of cause and effect:

Gary has had an ACCT and moved to healthcare. ACCT OPENED. I went to speak with Gary following a phone call with [an officer] Gary stated that he was struggling on the unit and he could not take it anymore. At this point he made very vague threats to harm himself. I tried to re-assure Gary that I was here to help and support him yet this appeared to be having no effect. Gary said he has been trying to behave himself, and has not harmed himself whilst at [this prison] but now he cannot cope. He says other young people banging on his door and shouting to him and he cannot cope with it. Gary history has been when he has harmed himself it has been significant and serious harmed himself in other establishments. I entered Gary's cell with 2 staff and he had already moved a number of items to the door for staff to remove. Gary said he will be taken out in an ambulance and that he doesn't need anything in his cell to harm himself as he can just smash his head off the wall until he bleed so much he passes out. I had serious concerns about Gary due to his history of harm and felt I need to

consider his location in order to try prevent him harming himself. I discussed at length with [someone] from the CAMHS team about him possibly being located in healthcare overnight then he can be reviewed tomorrow. [CAMHS staff] agreed this could be a short term solution but not a long term solution. I agreed with this and this would be discussed in his review tomorrow. The more I spoke with Gary he said that he didn't want to be on an ACCT and didn't want to on an open ACCT. Gary then made serious threat to harm himself due to inability to cope. Gary's history and mental health issue posed serious concerns. Gary agreed to take his medication and was then moved to [a specialist unit] and his review will be carried out in the morning.

The analysis is also limited (in much the same way as was the case with Asset analysis) because it does not directly record the views and thoughts of the children involved and relies therefore on motivation, where it is recorded, being reported by prison staff based on their observations of and discussions with children.

6.1 Official data

Each year, the Ministry of Justice and Youth Justice Board publish youth justice statistics, which include a breakdown of what is euphemistically referred to as 'behaviour management' data; that is, data relating to incidents in the secure estate where children harm others, themselves or are subject to a 'restricted physical intervention' or an incident of 'single separation' (Youth Justice Board and Ministry of Justice, 2016). The data for 2014-15 reveal that in under-18 YOIs, self-harm incidents are at their second highest rate in the past five years, with an average of 7.1 self-harm incidents per 100 boys in YOIs each month. Assaults committed by children in YOIs are at their highest rate during the same period, having peaked in 2014-15 at 11.7 incidents of assault per 100 boys in YOIs. The data provide a useful starting point for further investigation, but the individual incident reports provided by NOMS in respect of the boys in this research sample enable analysis at a greater level of depth than has been possible previously.

6.2 NOMS incident data

For the purposes of this study, the NOMS Operational Statistics team provided the following information about each incident which occurred between 1 April 2014 and 31 March 2015 in an under-18 YOI:

- Prison reference number of the child involved
- Date of the incident
- Hour of the incident
- Type of incident (recorded using NOMS categorisation as identified in PSI 11/2012 (Ministry of Justice, 2012c))
- Narrative relating to the incident as recorded by prison staff in the NOMS Incident Reporting System (IRS)

Data about incidents relating to the boys in the research sample was then further categorised to enable clearer analysis. The following incident types and subtypes were recorded for coding purposes:

1. Self Harm using:
 - a. Ligature
 - b. Blade
 - c. Violence (such as head banging or wall punching)
 - d. Method not known
2. Assault
 - a. Victim
 - b. Perpetrator
3. Fight
4. Other
 - a. Bullying
 - b. Health
 - c. Refusing direct lawful order
 - d. Threats

- e. Property damage
- f. Incident at height

The 181 boys in the research sample spent a combined period of 5,466 days in custody (an average of seventy-five days each). During that time 124 boys were involved in at least one incident of some kind where they were not the victim of someone else's actions.

As the sample was contrived so that half the boys in the research sample were included because they had been involved in self-harm incidents in custody, no analysis could be conducted in relation to the prevalence of self-harming among the research sample. There was, however, merit in prevalence analysis of the other types of incident the boys had been involved in. This is set out at Table 6.1 and reveals that those boys who did self-harm in custody (sample groups B and D) were more likely than those who did not to be involved in another type of incident while in custody. Boys with no prior history of self-harm who self-harmed for the first time in custody (those in sample group B) were more likely to be victims of assaults, involved in fights and involved in other types of incidents (predominantly property damage and incidents at height) than the other groups (A, C and D) in the research. The group least likely to be involved in incidents of any kind was those boys in sample group C, who had a history of self-harm in the community but had not self-harmed while in custody. Those boys who had no history of self-harm in either the community or custody (sample group A) were the most likely to be the perpetrators of assaults against other boys or staff in the YOIs. These findings were important to the study in continuing to build the profile of children without a prior history of self-harm who presented in custody with risky behaviour, which may not have been easily predicted by their previous actions.

The group of boys with a history of self-harming behaviour, but who did not self-harm in custody (sample group C), was evidenced in the data as being less likely to become involved in other types of incident when in custody than boys (in

sample group A) with no history of self-harm in any setting. Those boys in sample group C who did become involved in incidents were involved in fewer than any other group in the research sample and were also the least likely to be the victims of assaults. It seemed possible that this group entered custody with a set of risk factors and characteristics which may have led them to take a ‘keep your head down’ approach to their time in custody. This was the group most likely to live alone or in institutional care and also the most likely to find themselves in custody as a result of violent offences. It seemed possible that they may have held a more sophisticated or mature approach to their time in custody than the other boys in the research sample and that this had led to their behaviour being less volatile than that of their peers. Consideration of the narrative data relating to the boys in this group who were not involved in any incidents at all while in custody also suggested that many of them had girlfriends in the community, with whom they had reasonably stable, or at least lengthy relationships; some had children.

6.2.1 ‘Other’ incidents

Within the research sample, the two groups of boys who self-harmed in custody were also more likely to be involved in incidents not categorised as self-harm, fights or assaults (as victims or perpetrators). Table 6.1 identifies that between 28 and 29 per cent of boys in the two groups were involved in ‘other’ incidents compared with between 6 and 9 per cent of boys in the other two groups. As is set out above, ‘other’ incidents included a range of actions, including incidents at height and property damage.

Although it is not recorded as an area of particular concern for the under-18 prison estate, HM Chief Inspector of Prisons identified more generally in his 2013-14 annual report that an increase in the number of incidents at height that year was a major concern – they had nearly doubled across all areas of the NOMS male prison estate, including in establishments holding children. The inspectorate found that many incidents at height

...involve prisoners clambering onto the netting or railings attached to wing landings in the hope that they will be taken to segregation and then “shipped out” of the prison to somewhere they feel safer, where the conditions appear better or where they will be closer to home. (HM Chief Inspector of Prisons, 2014b, p. 10)

Similar concerns were repeated in the Chief Inspector’s 2014-15 annual report (HM Chief Inspector of Prisons, 2015b). Nick Hardwick (the then Chief Inspector) clearly saw incidents at height as indicative of the wider sense of stability and safety of an establishment. By contrast, in responding to a parliamentary question on the topic of incidents at height, the Prisons Minister Andrew Selous reported that,

Prisoners who take part in violent incidents can be referred to the police for prosecution or receive additional time on their sentences following internal adjudication. (Selous, 2016, PQ 26454)

It did not appear that the rise in incidents had given cause for concern to the Minister about any systemic or societal roots for the increase in this type of behaviour.

Across the research sample, there were eleven incidents at height recorded, involving eight boys. All but one of the incidents involved a boy who also self-harmed while in custody as well.

Table 6.1 – Boys involved in incidents in custody not categorised as self-harm

	Group A				Group B				Group C				Group D			
	No SH in the community, No SH in custody (n49)				No SH in the community, SH in custody (n44)				SH in the community, No SH in custody (n46)				SH in the community, SH in custody (n42)			
	Number of incidents	Number of children involved in incident type	% of children in group involved in incident type	Number of incidents per child involved in an incident	Number of incidents	Number of children involved in incident type	% of children in group involved in incident type	Number of incidents per child involved in an incident	Number of incidents	Number of children involved in incident type	% of children in group involved in incident type	Number of incidents per child involved in an incident	Number of incidents	Number of children involved in incident type	% of children in group involved in incident type	Number of incidents per child involved in an incident
Assault (Victim)	7	6	12.2	1.2	12	7	15.9	1.7	6	5	10.9	1.2	8	6	14.3	1.3
Assault (Perpetrator)	19	13	26.5	1.5	22	11	25.0	2.0	8	5	10.9	1.6	29	9	21.4	3.2
Fight	32	14	28.6	2.3	24	16	36.4	1.5	22	13	28.3	1.7	24	12	28.6	2.0
Other	7	3	6.1	2.3	33	13	29.5	2.5	4	4	8.7	1.0	37	12	28.6	3.1
Total	65	23	46.9	2.8	91	28	63.6	3.3	40	17	37.0	2.4	98	25	59.5	3.9

Henry

Henry spent 173 days in custody, initially because he had been recalled from the community element of a DTO when he breached it by stealing a car – an offence for which, whilst in custody on recall, he was subsequently sentenced to a further four month DTO. He had been in custody before, and although when in the community there had previously been concerns about threats he had made to harm himself, there was no known evidence of self-harm in the community or in custody. Henry's YOT worker reported in his Asset that he had been smoking £20-worth of cannabis every day before going to custody, but that when previously incarcerated in a secure children's home, there was 'no evidence to suggest that he was suffering from psychological withdrawal from being a persistent user.' This was of interest because despite the regular and heavy cannabis use of the majority of boys in the research (as described in chapter 4), very few assessors identified a possible link between heavy use in the community and the possible impact of custody on withdrawal symptoms. It was positive that this aspect of Henry's welfare had been considered. The first incident Henry was involved in when in custody at the YOI was an incident at height, which is described as follows:

Approx 19:22... [two boys] & [Henry] climbed up on the... netting as a protest. Henry was complaining about the night patrol. [One of the other boys] stated staff had been "taking the piss". [The third boy] had no real reason. Henry got off at 20:49 and returned to his cell. [The other boys] came down at 21:30 and returned to their cells.

It is not clear what Henry's concerns about the night patrol were, but the comments of one of the other boys involved gave a clear indication that they had been protesting at what they considered to be unfair behaviour on the part of the prison staff. At this time, Henry had been in the YOI for three weeks. Six days later, he moved towards a boy in what staff believed to be an attempt to assault him, although it is unclear from the incident report what gave them cause to think

that. Six weeks later, Henry assaulted a boy by punching him in the face several times. It was again unclear how this event was instigated. The final incident Henry was involved in during his 173 days in custody, five weeks before his release, was an act of self-harm in which a ligature had to be removed from around his neck. Once again, no indication was given in the report as to what may have prompted Henry to act this way.

Karl

Karl, like Henry, had been in custody before. He was reported as having increased his drug and alcohol use during the time he spent in the community between custodial episodes and there were conflicting accounts in his Asset as to the extent of his previous self-harm history; for example, stating at various points throughout the assessment that Karl was involved in self-harm during previous periods in custody but then stating in summary that there were 'no previous concerns [in relation to self-harm] when Karl was in custody.' Karl was in custody for 211 days, initially remanded and then sentenced for a robbery and (in a separate incident) an assault on a member of staff at a care home.

While in custody, Karl was involved in fourteen reportable incidents including fights, assaults, episodes of self-harm and three incidents at height. The first incident he was involved in was more than two and a half months after Karl had entered custody and involved him becoming involved in a fight between two boys, which resulted in Karl assaulting one of them and being restrained by staff. This was followed five days later by an attempt to assault a boy in his cell. Some weeks later Karl was involved in a further assault in circumstances apparently as similarly opportunistic as the first incident he had become involved in. Once again, restraint was used by staff.

The next incident report read as follows:

Fire alarm in B1-16. On inspection [Karl] had a set a fire within his bin

behind his room door. Fire extinguisher used to put out the fire, staff entered the room with respiratory equipment and [Karl] came out. He was relocated to the [Care and Separation Unit]. Fire brigade called and attended the scene. Fire brigade Incident Commander pleased with the protocols adhered to by staff.

No mention was made as to whether Karl had been injured by the fire or whether he had given any reason for having set it (or how he had managed to do so).

In December, Karl was found having made cuts to his right arm; he had been in custody since July. He advised staff that he had ‘done this because he wants to go to the [Care and Separation Unit] due to issues on A wing and the upcoming anniversary of his Mum’s suicide.’⁶⁵ From this point, Karl was more regularly involved in incidents, including three at height following altercations with staff or adjudications he was unhappy with, several assaults on other boys and refusals to follow the orders of staff. In total, during the last two months of the nearly eight he was in custody for, Karl was involved in ten incidents. Information contained in the Asset completed before he went to custody suggested that he had previously experienced periods of increased drug use, reckless behaviour and instability when he had been released from custody. It appeared that he would be living alone or in a care home when he finished his sentence and it was therefore likely that the increase in his troubling behaviour in custody was related to conscious or sub-conscious anxiety about what would happen to him when he was released.

6.2.2 Violence upon violence?

Karl was also subject to frequent ‘restrictive physical interventions’ by staff, when they were responding to his attempts to harm others or himself. There are examples in literature (for example, Steckley and Kendrick, 2008) of children reporting that they found some form of catharsis in being physically restrained.

⁶⁵ Observations relating to this incident and its relationship to information in Karl’s Asset were made in chapter 5.

Steckley and Kendrick articulate their ‘...concern that young people may become entrenched in a destructive dependency on physical restraint as a coping mechanism for their moods’ (2008, p. 563). This proposition is relevant not only to Karl’s case, but to all those boys who had left one maladaptive coping strategy in the community (offending, recklessness, drug use, for example) and who were looking for another to in some way support them through custody. After the first incident when Karl was restrained, he would have known the likely outcome of a further attempt to assault someone. Could it be that he was (knowingly or not) inviting this harm?

6.3 Observations

6.3.1 Raising a grievance

The eight boys who were involved in incidents at height were on (mean) average in custody for 134 days each. This was:

- One third longer than the boys with no history of self harm
- Nearly twice as long as the mean average period in custody of boys who were not involved in any incidents in custody.

Nick Hardwick suggested that one reason for the rise in incidents at height was in order to facilitate moves to different parts of the prison or to a different prison altogether. He also suggested that prisoners might take part in incidents at height as a form of protest (HM Chief Inspector of Prisons, 2014b). More widely, the incidents at height appear to be an act of exercised agency, and are more common in children who have been in custody for a relatively long period of time. In adjusting to considering the prison to be ‘home,’ the boys are perhaps engaging in protesting or provocative behaviour because they have developed a sense of belonging and therefore rights over their environment. This is likely to be brought into relief when boys begin to think about returning to the likely uncertainty of their pre-custody environments, and it would go some way to explaining the

increase in concentration of incidents towards the end of many of the boys' sentences.

6.3.2 Property damage and personal damage

Across the research group, thirteen boys were involved in twenty-four incidents of property damage. In addition there were seventeen incidents of boys harming themselves using violence – for example, punching or head-butting a wall. It seemed logical to assume that when boys were punching walls, they might damage the wall as well as themselves and that as such the definition of such incidents could be subjective or open to interpretation. Four boys were engaged in both of these types of incident – Louis, Jimmy, Andy and Steve – and all other incidents of property damage (with one exception) were carried out by boys who also self-harmed using blades or ligatures.

Louis was 15 when he entered custody for the first time in June 2014. He had no known history of self-harm before going to prison, but two days after arriving had self-harmed by scratching his arms, telling staff that he was angry that his water had been off. A week later he cut his arms again, this time saying that he wanted to be moved to a Secure Training Centre; he did the same the following day, saying that he wanted to get back to his home and go to a 'secure unit.' Another day later, his self-harming and threats escalated, with him telling staff that he wished he was dead. This resulted in him being asked to give his trainers to staff (presumably for his own safety, although this is not explained in the incident report). Force was used to remove Louis's trainers after which he was moved (using force) to his cell, where he was subsequently found with a bag over his head. Later on that day, and in response to an officer refusing to give him a cup on the basis that he had been advised 'not to open his door under any circumstances,' Louis was observed head-butting the wall of his cell. One month later, and after an apparently less volatile period (there was one incident when Louis assaulted a boy and was subject to restraint), Louis was refused a phone call, which led to his kicking and banging the door of his cell. He then began to damage his cell.

Although there were more incidents at the start of Louis's time in custody, he continued to act violently towards himself, others and the fabric of the prison throughout the sentence he was serving for assaulting a police officer, assault (of a shopkeeper he was attempting to steal from) by beating and possession of £3-worth of cannabis. When his reasons were requested or offered, Louis told staff that he wanted something or was angry with something. He had witnessed domestic violence between his parents as a child, which had led to him and his brother being subject to child protection plans. He had also told his YOT worker before going to custody that he would 'get smashed everyday' on cannabis.

Louis's life before custody had been defined by violence he had witnessed, perpetrated and possibly experienced. It was hardly surprising that in the absence of his usual coping mechanism (cannabis) he would turn to a behaviour that in the past had stimulated action and response from those in positions of authority in his life. The lack of care that Louis had for his own safety (evidenced through his drug, cigarette and alcohol use) appeared to have translated into a lack of concern about the safety of others or the protection of his environment. There seemed to be little difference in motivation between the different violent acts Louis carried out in the community and in custody.

Unlike Louis, Jimmy had a known history of self-harm before he entered custody, including at least two suicide attempts. During a previous period in custody he had banged his head against the wall to the point where he required hospital treatment. His risks were therefore flagged at the point he entered custody, as were his YOT worker's concerns that he would not have access to cannabis, which he claimed to use for self-medicating his ADHD.⁶⁶ Jimmy was in fact using a range of drugs on a regular basis in the period preceding his sentence to custody for driving and drugs offences. He had described to his YOT worker having used cocaine, MDMA, MCAT, Ketamine and steroids, and had apparently accumulated

⁶⁶ As was explored in chapter 4, descriptions of boys using cannabis to treat the symptoms of their ADHD were commonplace within the Assets.

a £5,000 drug debt. Jimmy was not recorded as having used violence in the commission of any of his offences but was described as being ‘threatening and demanding’ and wanting to ‘get things on his own terms.’

Jimmy was first involved in an incident in custody six days after he began his sentence, when he smashed up his television. During the week that followed, Jimmy was involved in four further incidents: in the first he smashed his television again, broke some of his furniture, threatened staff and punched his wall. He went on, later in the same day, to become involved in an argument with another boy which ‘became heated’ and resulted in Jimmy being subject to the use of force to remove him from the area. In the third incident, Jimmy once again smashed up his TV and was reported as having been in verbal arguments with other children. Two days after this, Jimmy flooded his cell, smashed a meal tray and used it to make cuts to his arms – he reported to staff that he was upset about not having a TV. For two weeks after this, Jimmy was not reported as having been involved in any incidents. The following was then reported to have happened:

On 04/11/14 at 23:30 [Jimmy] became threatening and abusive to night staff because they would not pass him another jigsaw. He stated he had swallowed 4 pieces of glass. When [staff] arrived on the unit [Jimmy] was throwing items out of his [observation panel] that has been broken out for the past 2 weeks. [Jimmy] claimed he had removed pieces and swallowed them. [Staff] spoke to [Jimmy] and managed to calm him down. The YP had thrown a jigsaw and other items on to the landing and had broken his basic radio.

Jimmy refused treatment for wounds he had received after punching walls; he removed dressings and stitches and told staff that if his cuts were re-stitched he would immediately remove them. Two-thirds of the way into his three month sentence he is described as having a ‘gaping’ wound on his hand.

The harm Jimmy caused never appeared to extend to other people, and when he

damaged property, it seemed to resolutely result in further damage to his own quality of life – resulting in either his TV or radio not working or being removed from him. Jimmy's actions all appeared to be a form of self-sabotage, mirroring the dangerous and self-defeating behaviour he had displayed in the community before he was sentenced.

During his three months in custody, Andy was involved in eleven incidents. The Asset provided for him when he entered custody was over a year old and therefore was not valuable in providing a picture of Andy's life in the period before he entered custody. There were, however, meaningful findings in review of the incidents he was involved in during his time in custody – which, as with Jimmy and Louis were a blurred mixture of property damage and self-harm; frequently combined in incidents that staff were forced by the reporting system to define as either one or the other. Similarly, responses appeared to require definition between supportive and punitive, as the following reports demonstrate:

At approx 13:45 on 25/05/2014 I [an officer] went to speak to [Andy] because he was upset earlier in the day receiving a negative entry. He informed me that he had punched the wall. ACCT observations increased to 2 per hour.

On the 20/07/14 at approx 07:30 hrs [Andy] began kicking his cell door for no reason he was spoken to but again gave no reason after a few mins he again started kicking and banging this time breaking cell door spyhole again he was asked by staff why he was doing this and he replied [I'm] pissed [off.] [Andy] was then told he will be placed on report.

It is unclear how staff differentiated between self-injurious and vandalistic behaviour for the purposes of interventions; the reports were not clear as to the difference. Andy's experience in custody, like Jimmy's and Louis's demonstrated that an ability to understand and define self-harm may not be straightforward and that the incident reporting system itself could be a barrier to effective

interventions to treat and minimise harmful behaviour on the part of the boys who are engaged in it.

6.4 Self-harm incidents

Although this thesis did not set out to explore the acts of self-harm undertaken by boys in custody, but to understand more about the boys themselves, the incident data provided by NOMS proved insightful in relation to incidents not defined as self-harm, and there is therefore merit in some exploration of the data relating to self-harm as categorised by prison staff.

Across the two groups of boys in the research sample who self-harmed in custody (groups B and D) there was no difference in the prevalence of self-harm. The mean average period spent in custody was ninety-five days in the group with no prior history of self-harm and 104 days for those who had self-harmed in the community. On average, each child in both groups was involved in 0.022 incidents of self-harm each day. This, more tangibly, equated to 2.2 incidents for each boy in the two groups. Most boys only engaged in one recorded act of self-harm while in custody, with extreme examples within both groups of boys who were recorded as having been involved in eighteen and twenty-one incidents.

6.4.1 Method of self-harm

As the previous paragraphs have demonstrated, some forms of self-harm can prove ambiguous for the purposes of reporting. However, almost twice (36 per cent versus 18.5 per cent) the number of boys in the group with no prior record of self-harm were reported as having self-harmed through violence (for example, wall punching or head banging) than those with a prior history of self-harm before custody. Cutting was more prevalent among the boys with a known history of self-harm and this was perhaps to be expected because they were likely to have experimented with methods before.

Bernie

The boy whose YOT worker had recorded no history of self-harm for, who went on to be involved in eighteen incidents of self-harm during his 243 days in custody for racially aggravated assault and criminal damage, had clearly presented a more complex picture than was possible to record in the binary environment of the Asset assessment fields. His YOT worker set out the following description of his life before custody:

Bernie's lifestyle seems to be largely centred around his drug use. He has offended to earn money for drugs and has offending while under the influence. He uses a cocktail of substances, and seems to use what ever he can get his hands on. He uses a large amount of MCat. This use offences his mood and thinking skills.

...Bernie has previously fitted while under the influence and he has had to be hospitalised. This has not stopped him experimenting as he feels that he is in control of his use. Bernie puts himself at a high level of risk though his drug use and I worry that he uses as a form of self harm.

Bernie lost his mum when he was young and has lost contact with his father... Bernie has witnessed a large amount of violence from a very young age, there is also evidence that he was neglected. Bernie's parents both used substances and so Bernie's drug use may be a learned coping mechanism for him.

Bernie's YOT worker's insight into his drug use and what may have caused him to resort to such action was clear, although not reflected in the warning flags applied when he went to custody. In some respects, this discrepancy reflected a common thread within the assessments that practitioners did not feel empowered to identify the risks they suspected for the boys.

When Bernie first arrived in custody, he was involved in incidents whereby he

threatened staff, damaged his room and television and behaved aggressively. After four such incidents, this behaviour ceased and was replaced by regular and escalating self-harming, usually using ligatures. When reading the incident reports chronologically, it appeared that staff were becoming increasingly exasperated with what they perceived to be manipulative behaviour on Bernie's part:

20 October - As I went to cut the ligature from around his neck Bernie came towards me and I believe he was about to assault me as his fist were clenched. Due to this Bernie was restrained then and the ligature cut from around his neck.

1 November - ...he has no injuries however there are concerns that he is playing a very risky game. He has been warned and advise however he states to staff that he is not bothered...

18 November - Bernie was found with a ligature around his neck made of a mattress cover. On entering his room it was clear that he was holding the strain of the ligature away from his neck so not to restrict his airways. The ligature was removed and Bernie sat on the bed fully conscious smirking at Staff.

20 November - Bernie used a ligature this morning...Bernie has been very disruptive the last few days, constantly misusing his cell bell and kicking his door and abusing staff. The staff... have worked very hard to keep him settled...The very instant Bernie hasn't got what he's wanted he quickly threatens to self harm or cause damage to the cell. Bernie has laughed at how he's been trying to get onto [a specialist unit] and has admitted that this has been his plan for some time. It's disappointing that Bernie is using self harm to try and get his own way as we all know the dangers when it goes wrong.

It was not at all clear whether Bernie did know the dangers of his own behaviour.

It was also entirely possible that despite being told he was ‘playing a risky game’, Bernie had so little regard for his own safety that he did not consider the risks he was taking. His drug use in the community carried similar risks but there did not appear to be any suggestion of abatement as Bernie felt that he was ‘in control.’

That staff in the prison believed that Bernie understood the risks associated with his behaviour as well as they did was likely to be a dangerous position for all to be involved in.

Chapter 7 – Findings, observations and areas for further research

This penultimate chapter returns, in summary, to the key research questions and hypotheses set out in chapter 3. The questions and theories set out at the start of this study will be explored in turn.

7.1 Key research question one

What more can be understood about the characteristics and behaviour of children in the community to inform our understanding of how they respond when they are remanded or sentenced to spend time in custody; particularly in the context of self-harm?

It was anticipated at the outset of this study that it would provide the opportunity to understand the characteristics of children in custody in a wider context than just that of their self-harming behaviour, and in a context which acknowledged their existence beyond the (usually) relatively short time they would spend in prison. This was achieved and in the preceding chapters, readers will have found a comprehensive picture of a group of boys with a range of unmet needs who frequently exist, whether in the community or custody in challenging environments very far from societal expectations of ‘normal’.

For reasons extensively explored in earlier chapters, and to provide manageable scope for the research, the focus of the methodology on four groups determined by one aspect of the boys' behaviour was chosen, but even this did not limit the evidence in conveying a broader picture of the differences and inequalities between children in custody and their peers in wider society. There is much more that could be learnt about this from further interrogation of the evidence gathered in this study. Therefore, the findings outlined below are not exclusively relatable to self-harm risk though this was at the heart of the analysis undertaken.

Typology

The latent aspiration of the author was to identify a neat, consistent and clearly communicable typology for boys who self-harmed for the first time in custody. People love stereotypes and prison staff and inmates are no exception:

Each grouping tends to conceive of the other in terms of narrow, hostile stereotypes, staff often seeing inmates as bitter, secretive, and untrustworthy, while inmates often see staff as condescending, highhanded and mean. (Goffman , 1961, p18)

Indeed, Leibling (as reported by Her Majesty's Inspectorate of Prisons, 1999) was able to identify a clear typology of suicidal prisoner. The typology was doubtless fundamental in informing the Prison Service (and latterly the National Offender Management Service) in developing guidance and advice for staff (see, for example, Ministry of Justice, 2012c) who are required to work with prisoners who may be at risk of self harm or suicide.

Predictably though, it was not possible to indentify a typology from the evidence in this study. To do so would be to over-simplify the issues that were identified and would contradict the complexities of interplay between factors crudely defined as internal (what would be described as 'risk factors)' and external (primarily as described in chapter 6) to the boys which combined to cause them to self-harm in custody. This interplay was particularly relevant in relation to the boys who self-harmed for the first time whilst in custody.

There was, however, compelling and powerful evidence of some key characteristics which appeared to be more or less apparent amongst boys in the different sample groups of the study. With the caveats around risk factors and the risk factor prevention paradigm set out in chapter 3 taken into account, these characteristics, now evidenced through this research can, and should support improvements in the wider assessments of children, particularly where they are previously unknown to services.

Table 7.1 – Disproportionate characteristics amongst groups

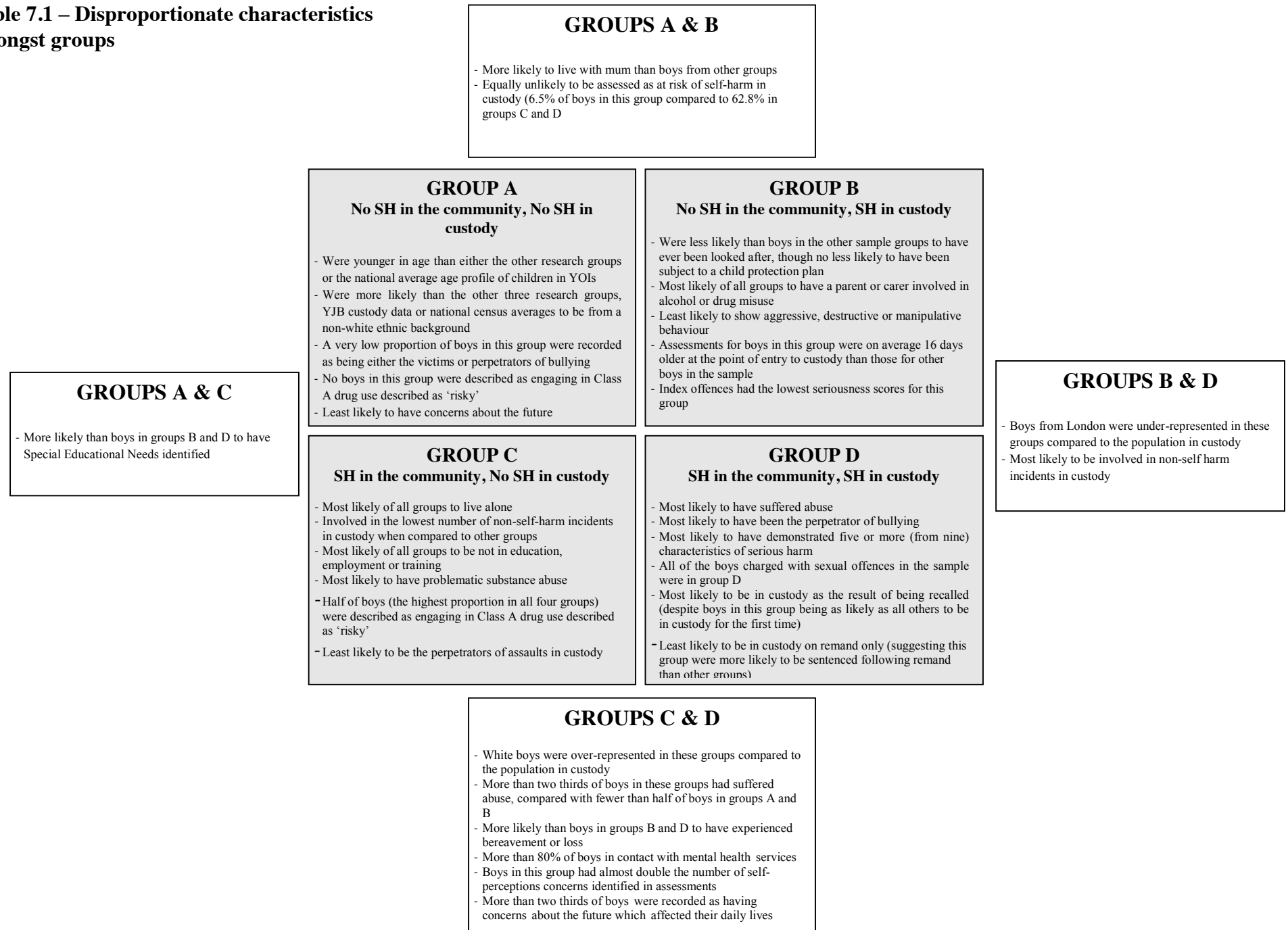


Table 7.1 highlights key prominent characteristics of the different research groups, where there was a difference in prevalence of ten or more percentage between the highest or lowest prevalence percentage and its closest neighbour or comparator. This table is not intended as a guide to risk, but offers two possibilities – greater understanding of these different groups for professionals working with them and sign-posts for further work which could assist in assessments and support.

It could be concluded from reviewing Table 7.1, that the group for whom the least is known in relation to self-harm, and for whom this study has uncovered the most compelling information, are those from the research sample who are recorded as self-harming for the first time whilst in custody (Group B). This group (before it existed as such) entered custody with no higher risk prediction of self-harm than the boys in Group A who did not go on to self-harm, but as a group displayed characteristics which set it apart from those who did not self-harm in custody, prior to entering prison, and indeed from those groups who entered the YOI with a history of self-harm.

The fact that violence in prisons is rising (as described in chapter 2) and that Groups B and D were responsible for the greatest proportion of non-self harm incidents when in custody is also relevant to wider considerations of the characteristics and features of these children's lives before custody in understanding why they may behave the way that they do when in custody. Issues of power, developing masculinity and personal agency are at play here and a recommendation is made in chapter 8 that such matters should be of explicit consideration to policy makers and practitioners if they are to have a positive impact on these boys' lives.

7.2 Key Research Question two

What is the impact of the removal of access to what Goffman (1961) calls ‘fantasy materials’ on children’s behaviour in the custodial context?

In chapter 4, evidence was advanced which suggested that substance use amongst children entering custody has risen in recent years, in contrast with national data about teenage substance misuse. This trend is repeated in relation to other aspects of children’s lives within the study (for instance in relation to accommodation and education where outcomes for children are generally improving; the same could not be said for the boys in the research sample) and should be of concern. Half of the boys in the research sample were described as using substances in such a way that their everyday lives were detrimentally affected. There was no great variation between the self-harming and non-self-harming groups, though the proportion (at 38.2 per cent) was lowest for Group B (those who self-harmed for the first time in custody) – the first indicator that Goffman’s theory may not be so easily applicable to these children’s experiences.

What does emerge, however, is a clear picture of teenagers using a range of substances not only for social or recreational purposes, or necessarily to meet the needs of a clinical addiction, but to regulate feelings and behaviours they wish to counter. Qualitative evidence suggested that such behaviour was particularly prevalent amongst boys who has been diagnosed with ADHD. A recommendation is made in relation to this issue in chapter 8, but the findings in this area suggest that Goffman’s theory, though relevant, is an over-simplification when overlaid onto the experiences of boys in 2016. There is doubtless a link between the absence of mind-altering substances and an increased propensity to self-harm, but the reality is that those who had the most problematic drug and alcohol use were also those with established histories of self-harm. Those who self-harmed for the first time in custody were more likely (as established in chapter 6) to be doing so as an exercise of agency or protest than to replace the void left when they were unable to access cannabis or tobacco (for example).

7.3 Total institutions?

The framework Goffman (1961) sets out to define and describe total institutions is a helpful one which can be applied to a variety of contexts which were not considered by his original study. On returning to the hypothesis set out in chapter 3 that early childhood could be described as a total institution, it is possible to see, when looking at the broader contexts of the boys' lives that in reality, humans in modern society could easily be considered to be moving regularly between a number of 'total institutions' and that reactions and responses to this repeated experience will frequently mirror those seen in Goffman's study. For children in the youth justice system, the process of entering, leaving and re-entering total institutions seems to be heightened and exaggerated when compared to children from more privileged backgrounds. For the boys in the research sample, there were frequent accommodation changes, changes to carers, a range of different educational establishments, adjustments from childhood to adolescence and the transition from childhood to adulthood to contend with. If each was considered within Goffman's framework, even a casual observer could begin to see the likely toll on a child's ability to respond positively to such frequent changes in environment.

An example of this demonstrated within the study applied to youth to adult transitions. The transition between childhood and adulthood, whether in chronological or systemic terms, appeared to manifest as a heightened period of anxiety, evidenced by a disproportionate number of boys in the sample self-harming in the month before their 18th birthdays. What this demonstrates is not only then that the boys in the research were consciously or subconsciously affected by thoughts of the future, but that the qualitative evidence gathered by the Howard League (2015) is supported by the reality of these boys' behaviour.

Goffman talks of 'release anxiety' when a person leaves a total institution:

One explanation offered for it is that the individual is unwilling or too 'sick' to resume the responsibility from which the total institution freed

him...A factor likely to be more important is...the loss or failure to acquire some of the habits currently required in the wider society. Another is stigmatization. When the individual has taken on a low proactive status by becoming an inmate, he finds a cool reception in the wider world... (Goffman, 1961, p. 71)

Prison doesn't work. Enough have said it (for example, Goldson, 2000) but it seems that it may be time to examine whether for children, still developing and moulding to the world, and whom are likely (in Goffman's words) to be 'disculturated' and stigmatised by the range of institutions (whether formal or notional) they have already inhabited before custody) one aspect of prison's failure is the instability and uncertainty it poses to them, and particularly children on remand, whose futures are even less certain. The factors which appeared more prevalent in the case of those children who self-harmed in custody, whether for the first time or not, could be seen to stem from issues related to stability of placement and uncertainty in routine and future plans. Those children removed from what were described as fairly stable home lives were more prone to self-harming for the first time in custody than other boys. They were also more likely to have engaged in education in the community.

Boys who self-harmed for the first time in custody were less likely than any other of the sample groups to have any history of being in care; care status indicating (as shown in the qualitative aspects of this research) lower levels of stability in relation to accommodation and carers. What this suggests is that the boys with histories of being 'looked-after' were more resilient to the changes in lifestyle and expectations of them conferred by the prison environment. This was further supported by the finding that boys who lived alone (a figure which was, in the author's view, unacceptably high) were less likely to self-harm in custody than others but were more likely to have self-harmed at some point in the community than their peers who lived with family or carers. Again, questions around resilience arose, in circumstances where boys, having established what could be considered premature resilience (through living alone and developing at least

some of the skills to do so) were better able to cope in an environment which was not going to provide the parenting or support they likely needed. On the converse, those boys who had greater levels of family support, who were better engaged in education had lower levels of resilience to the custodial environment; a likely contributor to their self-injurious behaviours

Would public safety, tax payers' money and the boys themselves really be best protected by removing them from an environment with some anchorage and temporarily detaining them in an alien, punitive and largely unsupportive institution? Particularly given that these boys displayed significantly fewer characteristics of the risk of serious harm than their peers. And for those who have not had the relative benefit of a stable support system, can it really be considered appropriate to remove them so starkly from their communities and further stigmatise them in the face of overwhelming evidence that prison will either harm them or have no impact on their likelihood of further offending? As Charlie Taylor has stated as recently as December 2016:

There is an understandable temptation to send children to custody to address their many problems, but this should be resisted. The reason for sending children to custody should not be to fix them. (Taylor, 2016, p. 40)

7.4 Areas for further research

Some areas where further research is needed have been identified throughout this thesis, and the most important are highlighted in chapter 8 as recommendations. However, there are a number of discrete areas of understanding which could be further developed through additional research in this area, and they are briefly outlined below

- The impact of remand on children and work to consider the impact on children and communities of remands which result in community

sentences or acquittals

- The influence of cultural bias in youth justice assessments, considering social, ethnic and educational culture
- Consideration of children in custody who have been on child protection plans and whether there is ethnic disproportionality at play
- Longitudinal work to consider the impact of domestic violence (between parents) on their children's future behaviours
- The issue of children who self-harm in police custody
- The impact of modern masculinity on boys growing up in England and its relationship with offending behaviour

Chapter 8: Conclusions and recommendations

This study set out to explore, through the information available from youth justice assessors, the characteristics and risk factors of children entering custody, in an attempt to better understand their behaviour in the custodial environment. The aspiration was to provide practitioners in youth offending teams and the staff involved in placing children in custody with a better knowledge of how certain characteristics or personal profiles might translate into self-injurious behaviour in custody, and to provide a greater insight for policy-makers and for those working in children's prisons about the possible roots of the behaviour they seek to eradicate or mitigate. To reflect this, the conclusions and recommendations of the author are organised in this chapter in three sections which speak to the three groups of professionals described above: YOT workers and placement officers, policy officials in government, and managers and staff working in children's prisons. There are, of course, crossovers and broader relevance to each group and other groups in all of the findings and recommendations.

8.1 For YOT workers and placement officers

The primary conclusion of this study as it relates to those who are responsible for the assessment and placement of children who are entering custody relates to the group of children who are not known to have self-harmed before entering custody but who may go on to do so when they are in prison. It appears from this research that there are some particular risk factors and characteristics among these boys which are worthy of careful consideration in the particular context of the prospect of custody, and they are outlined briefly below. The presence of one or two of these characteristics is not alone suggested to be indicative of an increased risk of self-harm, but has been shown by the study to contribute to the overall risk profile of the child to whom it relates. Therefore, the presence of a number of these characteristics, in the specific context of possible imprisonment, could be meaningful and are worthy of consideration by practitioners:

8.1.1 Relatively stable family settings are a characteristic amongst those who self-harm for the first time in custody

Boys who had not previously self-harmed, who had not experienced the care system and who had strong (if not always functional – see below) relationships with their carers (usually mothers) and no history of abuse appeared to be less resilient to the YOI environment than their peers. This group were also more likely to have qualifications than any other groups in the research. In many senses these characteristics could and should be viewed as positive and protective factors, but it sadly seemed that having stronger or more supportive family environments and having achieved in education were linked to some children being less able to cope with custody.

Being less able to cope with custody may have been linked to the perceptions of the boys in the sample group who self-harmed for the first time whilst in custody. These boys were less likely to be remanded or convicted for the most serious offences and also displayed the smallest number of negative attitudes towards offending. It seemed possible that they may have been less likely than their peers to identify themselves as offenders and that therefore a custodial outcome was less expected.

8.1.2 Relative stability is a relative concept

Despite the finding above, it was also the case that boys who self-harmed for the first time when in custody were also more likely than their peers in the other sample groups to be living with a parent or carer who had recently been known to abuse alcohol or drugs. Across all the sample groups, but most profoundly in this sub-set, there was a positive correlation between parental substance misuse and substance misuse on the part of the child,⁶⁷ particularly cannabis. What this

⁶⁷ There is a question here about the relationship between higher parental substance misuse and lower likelihood of contact with care or child protection services which needs greater exploration than this study could undertake and is a possible area for further research.

indicates is that assessors should not be looking for stability in relation to behaviour in the homes of children, but in respect of the relationships the boys have with their carers and those around them.

8.1.3 The need for careful consideration of what ‘risky’ drug use looks like

The study found that drug use among boys in all four sample groups was far in excess of the picture presented by national statistics on teenage substance misuse. It is suggested that the widespread misuse of substances by children involved in the youth justice system has understandably led to practitioners accepting such behaviour as the ‘norm’. This results in them failing to recognise the significance of the risks posed to children, both in terms of their physical and mental health and also in relation to the links between substance use and children’s criminal behaviour (either offending when under the influence of drugs or alcohol, or offending to fund the use of substances).

Children who used substances in the community often described such use as helpful in managing their emotions, moods, behaviour or sleep patterns. Many children suggested that cannabis use helped them to control the symptoms of ADHD in ways that prescribed medication had not. There is a wider recommendation relating to this point later on in this chapter, but the significance of boys entering custody and not having access to cannabis, tobacco and other substances which they may have been using to regulate their emotions in the community should not be underestimated by practitioners and should be given specific consideration as a risk factor for self-harm when children are entering custody.

8.1.4 Nuanced behavioural differences in boys who self-harmed for the first time in custody

The study explored some of the less quantifiable aspects of youth justice assessments which considered whether boys had displayed certain types of

behaviour or attitudes. While acknowledging that such judgements are formed subjectively, the value of these areas of the assessments was recognised, demonstrating that boys who self-harmed for the first time in custody were less likely than their peers to be the perpetrators of bullying, to have destroyed property, to have displayed aggression towards others or to have shown manipulative or controlling behaviour. They also (on average) displayed the least number of characteristics of serious harm.

The trends identified against these separate assessment questions are considered to be meaningful. They add further weight to the idea that this group of boys are less entrenched in the most serious forms of criminal behaviour and therefore less prepared (by life) for the challenges of the YOI environment. Although the proportion of boys in this sample group who had previously been to custody was similar to that of the other three sample groups, the exploration of their custody records demonstrated that most had not been to a YOI before, which would go some way to explaining why they may have acted as they did. What may also help to explain what could otherwise appear an anomaly is the finding from the research which showed that the boys in this sample group were younger than their peers in the other groups when they entered the youth justice system, and, when their offences and the associated seriousness scores were considered, appeared more likely to have ended up in custody as the result of an ‘escalator’ effect (see Aertsen et al, for example), arising from multiple lower level offences and breaches than the commission of a smaller number of serious violent offences, which would make custody a more inevitable outcome.

Recommendation 1

Practice guidance describing the impact of custody and potential increased risks to children’s safety and wellbeing should be produced by the Youth Justice Board to inform YOT workers completing the custody module in AssetPlus.

Recommendation 2

Consideration should be given by the Department of Health as to whether current clinical guidelines for the treatment of ADHD in older adolescents are appropriate and effective.

8.2 For custody providers, managers and practitioners

The findings in 7.1 are highly relevant to those working in a custodial environment, because a fully informed understanding of children's lives and risk factors before coming into custody is essential if staff in prisons are to effectively support children when they are there. However, there are some additional findings which relate more specifically to the custodial environment, which are outlined below alongside recommendations that seek to improve practice.

8.2.1 All incidents in custody are cause for concern

This study has produced clear evidence which demonstrates that children involved in behaviour in custody such as incidents at height and property damage are more likely to also engage in acts of self-harm. The lines of definition between these three incident types are not always clear, and there were additional findings which suggested that some boys were deliberately engaging in fights as a way to orchestrate restraint that was likely to harm them.

Boys who entered YOIs with no prior history of self-harm who went on to harm themselves while in custody were more likely than other boys who self-harmed in prison to use methods such as wall punching, head-banging or harming themselves through violence towards property. Such behaviour more frequently appeared to be resultant of a specific distressing incident or as a form of protest against an aspect of the prison regime or their treatment than as a result of what could be best described as a psychological disturbance, as more frequently appeared to be the case for boys who were involved in cutting or ligaturing in custody.

8.2.2 The context for low diagnoses of mental health conditions in the community

The research identified that only a relatively small proportion of boys in the sample group entered custody having been formally diagnosed with a mental health condition. However, it has been documented that children are often assessed and treated for mental ill-health when in custody. This study has shed some light on why this might be the case, having identified that a high number of boys in the study had been referred to mental health services in the community but that many had failed to engage or had cases closed because of failure to attend appointments, and not necessarily because a mental health concern was not identified.

8.2.3 The voice of the child

Where it was provided in incident reports, a brief record of boys' responses when asked to explain their behaviour provided powerful insight into their motivations and thinking. Self-harm and other incidents usually appeared to be prompted by either a distressing event, such as a phone call, visit or piece of news, or by a perceived wrong-doing, usually on the part of staff in the establishment. The importance of this latter motivation and the boys' clear sense of powerlessness and lack of agency must not be underestimated, as it often appeared to be at the heart of all of their actions. There is much current talk of the 'voice of the child' in youth justice but this needs to extend beyond focus groups and retrospective listening if children's voices are to impact on their immediate experience of the justice system.

Recommendation 4

Custodial environments for children should be commissioned to provide full psychological screening of all children upon entry to custody, and this should be used to determine the care and support plan for children, which should be

shared with all those who work with them. This is in the context of the custodial environment frequently providing a first opportunity for children to be meaningfully engaged in assessments, which, had they taken place in the community may have informed care and treatment of children that could have prevented them entering custody.

Recommendation 5

Incidents in custody should elicit a safeguarding response which considers children's behaviour in the context of their known risks, characteristics and any previous incidents they have been involved in. This should apply regardless of the incident type and in isolation from any other punitive or restorative approaches which may be deemed necessary. This approach should be mandated through commissioning and endorsed by managers in individual establishments.

Recommendation 6

Children should always be asked why they have acted in a particular way (whatever the incident type) and this should be recorded as part of the incident report if learning is to be meaningful on an individual or systemic level.

8.3 For policy-makers

Policy-makers and the agents of government have the power to make changes to the youth justice system to ensure that children in the youth justice system are less likely to come to harm, and are better supported to lead safe and healthy lives which cost the taxpayer less. The findings that apply to policy-makers are cumulative in this chapter, and many of the previous recommendations are directed at them, but this final section highlights some of the broadest findings from this study.

8.3.1 Recognition that the youth justice system can cause harm

The boys in the research sample for this study had all suffered multiple traumas and disadvantages before coming into contact with the youth justice system. Political will, the judiciary and a range of agencies' interpretations of domestic law do not currently support a primarily therapeutic response to children involved in crime. For as long as this is the case the youth justice system will continue to act as an additional source of trauma for children and is likely to continue to contribute towards self-harming behaviour, particularly during the period between charge and sentence, whether in the community or in custody.

For a number of the children in the research sample, it did not appear that the UNCRC requirement for custody to be used only as a last resort had been applied. This was demonstrated by the number of children imprisoned for non-violent crimes and for offences with low seriousness scores.

For some children, custody clearly (and depressingly) offers respite and structure to chaotic and unsettled lives; this was seen during the research particularly in the group of boys who had self-harmed in the community but who did not do so in custody. However, for some children, custody is actively damaging and removes them from a protective framework which, while not perfect, could be developed to provide a better chance of reducing their damaging behaviour (to themselves and to others).

Recommendation 7

Research is required to consider whether the current custody thresholds are being applied in line with government policy and, as a separate question, what the benefits are (if any) of imprisoning children who have not committed violent or dangerous offences.

Recommendation 8

This study has demonstrated that children's experience in the community

cannot be separated from what happens to them in custody and that the external processes which lead them to be there contribute to the harm they cause, to themselves and to others. Plans to reform the youth justice system need to recognise and account for the fact that custody for children is not only damaging as a result of poor, unsuitable regimes and a largely under-professionalised workforce, but because of the highly disruptive and damaging impact a period awaiting sentence can have, and the further trauma for some children of being removed from the community in which they will be expected to reform their behaviour upon release.

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Annex A - Fields for data collection from Asset Core Profile documents

Note: where the data type is described as ‘defined text’, this normally meant that options were provided for assessors such as yes/no/don’t know/not applicable, or where frequency was to be indicated (as in relation to substance misuse, for example) recent/previous/not known to have used or (as in relation to looked after child status) current/previous/never/not known.

Field number	Description of data	Data type (defined text, free text, numerical)
1	Year of birth	Numerical
2	Month of birth	Defined text
3	Age	Numerical (YY/MM)
4	County of home address	Defined text
5	Ethnicity	Defined text
6	First language English?	Defined text
7	Date of Asset completion	Numerical
8	Primary index offence	Free text
9	Seriousness score of primary index offence	Numerical
10	Additional offences	Free text
11	Offence outline	Free text
12	Victim type	Defined text
13	Victim relationship	Defined text
14	Age at first reprimand/caution	Numerical
15	Age at first conviction	Numerical
16	Number of previous convictions	Numerical
17	Previous custodial sentences	Numerical
18	Time since last conviction	Defined text
19	Number of previous disposals	Numerical

Field number	Description of data	Data type (defined text, free text, numerical)
20	Failure to comply with previous disposals	Defined text
21	Sex offenders' register	Defined text
	Looked after status:	
22	s20	Defined text
23	s31	Defined text
24	s23	Defined text
25	Eligible for leaving care services	Defined text
26	Designated as a 'relevant' child	Defined text
27	Child protection register	Defined text
28	Other referrals to social services	Defined text
29	Who has the young person been living with during past 6 months?	Defined text
30	Recent change in living arrangements	Defined text
31	Number of adverse characteristics of living arrangements	Numerical
32	Carers/family members involved in drug or alcohol misuse	Numerical
33	Experience of abuse	Defined text
34	Bereavement or loss	Defined text
35	Education Training or Employment (ETE) situation	Defined text
36	Evidence of ETE non-attendance	Defined text
37	Educational qualifications	Defined text
38	Vocational qualifications	Defined text
39	Special Educational Needs	Defined text

Field number	Description of data	Data type (defined text, free text, numerical)
40	Literacy problems	Defined text
41	Numeracy problems	Defined text
42	Language difficulties	Defined text
43	Adverse factors linked to engagement in ETE	Numerical
44	Bully (victim or perpetrator)	Defined text
	Substance use:	
45	Alcohol	Defined text
46	Tobacco	Defined text
47	Solvents	Defined text
48	Cannabis	Defined text
49	Class C	Defined text
50	Other Class B	Defined text
51	Class A	Defined text
52	Risky drug use	Defined text
53	Perception of substance use as positive/essential	Defined text
54	Detrimental effect on education/relationships/daily functioning	Defined text
55	Offending to obtain money for substances	Defined text
56	Other links between substance use and offending	Defined text
57	Health condition impacting on daily life	Defined text
58	Physical immaturity	Defined text
59	Problems linked to non-GP registration	Defined text

Field number	Description of data	Data type (defined text, free text, numerical)
60	Lack of access to health services	Defined text
61	Risky health practices	Defined text
62	Other health problems	Defined text
63	Daily functioning affected by coming to terms with past events	Defined text
64	Daily functioning affected by current circumstances	Defined text
65	Daily functioning affected by concerns about the future	Defined text
66	Formal mental health diagnosis	Defined text
67	Contact with or referral to MH services	Defined text
68	Emotional or psychological difficulties	Defined text
69	Self-harm	Defined text
70	Previous attempted suicide	Defined text
71	Difficulties with self-identity	Defined text
72	Inappropriate self-esteem	Defined text
73	General mistrust of others	Defined text
74	Perceives self as victim of discrimination or unfair treatment	Defined text
75	Displays discriminatory attitudes towards others	Defined text
76	Perceives himself to have criminal identity	Defined text
77	Lack of consequential thinking	Defined text
78	Impulsive	Defined text
79	Need for excitement	Defined text

Field number	Description of data	Data type (defined text, free text, numerical)
80	Lack of assertiveness	Defined text
81	Poor control of temper	Defined text
82	Inappropriate social and communication skills	Defined text
83	Destruction of property	Defined text
84	Aggression towards others	Defined text
85	Sexually inappropriate behaviour	Defined text
86	Manipulative/controlling behaviour	Defined text
87	Negative attitudes towards offending (score)	Numerical
89	Motivation to change (score)	Numerical
90	Individual positive factors (score)	Numerical
91	Family positive factors (score)	Numerical
92	Community positive factors	Numerical
93	Vulnerable resulting from the behaviour of others	Defined text
94	Vulnerable as a result of events or circumstances	Defined text
95	Vulnerable as a result of own behaviour	Defined text
96	Risk of self-harm	Defined text
97	Risk of suicide	Defined text
98	Risk description	Defined text
99	Known problems during previous custodial sentences	Defined text
100	Concerns about vulnerability in relation to custody	Defined text

Field number	Description of data	Data type (defined text, free text, numerical)
101	Risk to other children	Defined text
102	Evidence of ROSH (score)	Numerical
103	Evidence of unusual offending risks (score)	Numerical
104	Significant behavioural concerns (score)	Numerical
105	Have own child/children	Defined text

Appendix B – Family substance misuse case studies

Table B1 - Boys who were known to self-harm in the community but did not self-harm in custody with carers or family members involved in drug and/or alcohol misuse within the past six months who lived alone before going to custody

Name	Living arrangements	Who was involved in substance misuse	Own substance use description
Kris	Went into custody in July 2014. In the previous six months he had six separate living arrangements – mostly hostels	Not clear – two older brothers in custody.	Daily cannabis and frequent MCAT use
Harvey	Asset describes Harvey as ‘isolated from his family’ following a breakdown in his relationship with family after his mother alleged that Harvey’s father had raped her. There is also evidence that the same man had sexually assaulted Harvey when he was younger.	Mother and father though they are now separated and Harvey has not seen his father recently.	Regular cannabis use (spending about £50 per week of his £57 income)
Jamari	Lives alone (Section 20)	Not known	Began using drugs, smoking tobacco and drinking alcohol aged 10. Recent use of cannabis and class A drugs.
Declan	Lives alone (Section 20)	Not known	Has used class A, B and C drugs, regular smoker.
Sammy	Lives with girlfriend (not currently looked after)	Not known	Recent and regular cannabis use – began using drugs aged 10

Table B2 - Boys who did not have a history of self-harming in the community but who did self-harm in custody, with carers or family members involved in drug and/or alcohol misuse within the past six months who had lived with their mother before going to custody

Name	Living arrangements	Who was involved in substance misuse	Own substance use description
Craig	Lives with mum though currently has an open Section 20 arrangement	Mother and father	Daily cannabis use
Seb	Mother is noted as having been a victim of domestic violence at the hands of Seb's father, who died when Seb was in custody during 2013.	Not known	Claims to use cannabis as a form of self-medication
Michael	Had witnessed domestic violence against his mother.	Not known	Sees cannabis as 'essential to life' and often offends to obtain money for substances
Marc	Recently met his father for the first time who told him that he had thought Marc would be better off being raised by his mother alone.	Father and other paternal relatives	Smokes around £40-£50 worth of cannabis a day and may also be involved in the supply of drugs
Reece	History of domestic violence between Reece's mother and her partners, including an incident where both mother and her partner stabbed each other after alcohol use. Father is in custody and is a prolific offender. Reece has contact with him through occasional letters.	Mother, mother's partner	Daily cannabis use – up to £100 worth a week
Mason	Previously Mason moved in with his brother when relationships were strained with his mother but this improved and he was living at home before he went to custody. Significant history of domestic violence against Mason's mother by her ex-partner, some of which was witnessed by Mason. Mother is viewed as a significant protective factor. Was abused by his father whilst in his care as a younger child.	Not known	Daily cannabis use, to help him sleep.